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सं. 22]

नई दिल्ली, शनिवार, जून 3, 1995/ज्यैष्ठ 13, 1917

No. 22]

NEW DELHI, SATURDAY, JUNE 3, 1995/JYAISTHA 13, 1917

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (II)
PART II—Section 3—Sub-section (II)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएँ
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(other than the Ministry of Defence)

गृह मंत्रालय

[पुनर्वास प्रभाग (बंदोबस्त)]

नई दिल्ली, 27 अप्रैल, 1995

का.आ. 1461.—विस्थापित व्यक्ति (प्रतिकर एवं पुनर्वास) अधिनियम, 1954 (1954 का 44) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा गृह मंत्रालय, पुनर्वास प्रभाग के बंदोबस्त खंड में सहायक बंदोबस्त अधिकारी श्री जी.एन. जेना को उक्त अधिनियम के द्वारा या उसके अधीन एक प्रबंध अधिकारी को सौंपे गए कार्यों का निष्पादन करने के लिए, तत्काल प्रभाव से प्रबंध अधिकारी नियुक्त करते हैं।

[सं. 1(2)/93-बंदोबस्त]

आर. एस. आहुजा, अवर सचिव

MINISTRY OF HOME AFFAIRS

[Rehabilitation Division (Settlement)]

New Delhi, the 27th April, 1995

S.O. 1461.—In exercise of the powers conferred by Sub-section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954) the Central Government hereby appoints Shri G. N. Jena, Assistant Settlement Officer in the Settlement Wing of the Rehabilitation Division, Ministry of Home Affairs, as Managing Officer for the purpose of performing the functions assigned to a Managing Officer by or under the said Act, with immediate effect.

[No. 1(2)/93-Settlement]

R. S. AHUJA, Under Secy.

(पुनर्वास विभाग)

नई दिल्ली, 1 मई, 1995

का.आ. 1462.—निष्क्रान्त सम्पत्ति प्रबंध अधिनियम, 1950 (1950 का 31) की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा गृह मंत्रालय के पुनर्वास प्रभाग में सहायक बंदोबस्त अधिकारी, श्री जी.एन. जेना को उक्त अधिनियम के द्वारा अथवा उसके अधीन अभिरक्षक को सौंपे गए दायित्वों का निर्वाह करने के उद्देश्य से पंजाब, हरियाणा, हिमाचल प्रदेश, दिल्ली, उत्तर प्रदेश, बिहार, पश्चिम बंगाल, उड़ीसा, आन्ध्र प्रदेश, मध्य प्रदेश,

(2051)

राजस्थान, गुजरात, महाराष्ट्र कर्नाटक, तमिलनाडु और केरल के लिए पैकेज सौदों अथवा प्रशासनिक एवं वित्तीय अनुबंधों के अन्तर्गत अंतरित इन राज्यों में स्थित अचल निष्क्रान्त सम्पत्तियों/भूमियों को छोड़कर, निष्क्रान्त सम्पत्ति सम्बन्धी उप अभिरक्षक के रूप में नियुक्त करती है।

[संख्या 1(1)/विशेष सैल/87-एस. एस. II/बन्दोबस्त]

प्रदीप कुमार शर्मा, निदेशक

(Rehabilitation Division)

New Delhi, the 1st May, 1995

S.O. 1462.—In exercise of the powers conferred by Sub-section (1) of Section 6 of the Administration of Evacuee Property Act, 1950 (31 of 1950), the Central Government hereby appoints Shri G. N. Jena, Assistant Settlement Officer in the Rehabilitation Division of Ministry of Home Affairs as the Deputy Custodian of Evacuee Property for Punjab, Haryana, Himachal Pradesh, Delhi, Uttar Pradesh, Bihar, West Bengal, Orissa, Andhra Pradesh, Madhya Pradesh, Rajasthan, Gujarat, Maharashtra, Karnataka, Tamil Nadu and Kerala for the purpose of discharging the duties imposed on the Custodian by or under the said Act, barring immovable evacuee properties/lands situated in these States transferred under Package deals or Administrative and financial arrangements.

[No. 1(1)/Spl. Cell/87-SS II/Settlement]
P. K. SHARMA, Director

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

शुद्धि-पत्र

नई दिल्ली, 18 मई, 1995

का.आ. 1463.—कार्मिक एवं प्रशिक्षण विभाग (भारत सरकार) की अधिसूचना संख्या 228/42/94-ए. वी. डी.-II दिनांक 26-10-94 की बारहवीं पंक्ति में दिनांक 1-3-1993 के स्थान पर दिनांक 9-3-93 पढ़ा जाए।

[संख्या 228/42/94-ए. वी. डी.-II]

एस. सींदर राजन, अवसर सचिव

MINISTRY OF PERSONNEL, P. G. AND PENSIONS
(Department of Personnel and Training)

CORRIGENDUM

New Delhi, the 18th May, 1995

S.O. 1463.—In modification of Government of India/DOPT's notification No. 228/42/94-AVD-II dated 26-10-94, the date 1-3-1993 mentioned in 12th line of the Notification may be read as 9-3-1993.

[No. 228/42/94-AVD-II]

S. SOUNDAR RAJAN, Under Secy.

वित्त मंत्रालय

(राजस्व विभाग)

आयकर महानिदेशक (छूट) का कार्यालय

कलकत्ता, 13 फरवरी, 1995

आयकर

का.आ. 1464.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधि-

नियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संस्थान" के संवर्ग के अधीन अनुमोदित किया गया है :—

(i) संगठन अनुसंधान कार्यों के लिए अलग-अलग लेखा बहियां रखेगा।

(ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, प्रौद्योगिकी भवन, न्यू महरोली रोड, नई दिल्ली-110016 को भेजेगा, और

(iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (अ) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिसर्च किया गया संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

कम्प्यूटर सोमायटी आफ इंडिया, इंस्टीटयूशन आफ इंजीनियर बिल्डिंग, 15, हाजी अली पार्क, के. खाद्य मार्ग, बम्बई-440034

यह अधिसूचना दिनांक 1-4-94 से 31-3-95 तक की अवधि के लिए प्रभावी है।

टिप्पण : 1. उपर्युक्त शर्त (1) "संघ" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र को विभाग को प्रस्तुत करना है।

[संख्या 1330 एक. सं. म. नि./आ. क. (छूट)/एम-165/35 (ii)/93-आ.क. (छूट)]

आर. मिह, उप निदेशक

MINISTRY OF FINANCE

(Department of Revenue)

OFFICE OF THE DIRECTOR GENERAL OF INCOME-TAX (EXEMPTIONS)

Calcutta, the 13th February, 1995

INCOME TAX

S.O. 1464.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :

- (i) The organisation will maintain separate books of accounts for its research activities ;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year ; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited income and expenditure account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of the Income-tax Act, 1961.

NAME OF THE ORGANISATION

Computer of Society of India,
Institution of Engineers,
Bld. 15, Hazi Ali Park,
K. Khadya Marg,
Bombay-34.

This Notification is effective for the period from 1-4-1994 to 31-3-1995.

Notes.—(1) Condition (i) above will not apply to organisation categorised as associations.

- (2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1330/F. No. DG/IT(E)/M-165/35(1)(ii)/93-IT(E)]

R. SINGH, Dy. Director

कलकत्ता, 13 फरवरी, 1995

आयकर

का.आ. 1465.—सर्वसाधारण की एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए आयकर नियम के नियम 6 के अधीन विहित प्राधिकारों द्वारा निम्नलिखित शर्तों पर "संस्थान" के संवर्ग के अधीन अनुमोदित किया गया है :—

- (i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।

(ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, प्रौद्योगिकी भवन "न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा, और

(iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दो गई रिमर्क किया गया संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

सुर स्मारक मंडल,

इ-113 कमला नगर, .

आगरा-5

यह अधिसूचना दिनांक 1-4-95 से 31-3-97 तक की अवधि के लिए प्रभावी है।

टिप्पणी : 1. उपयुक्त शर्त (1) "संघ" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र को विभाग को प्रस्तुत करना है।

[संख्या 1331/एफ.सं. म. नि./आ. क. (छूट)]

यू.पी.-11/35(1)(iii)/90-आ.क. (छू.)

आर. सिंह, उप निदेशक

Calcutta, the 13th February, 1995

INCOME TAX

S.O. 1465.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purpose of clause (iii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :

- (i) The organisation will maintain separate books of accounts for its research activities ;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year ; and

(iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited income and expenditure account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of the Income-tax Act, 1961.

NAME OF THE ORGANISATION

M/s. Sur Smarak Mandal,
E-113, Kamala Nagar,
Agra-5.

This Notification is effective for the period from 1-4-1995 to 31-3-1997.

Notes.—(1) Condition (i) above will not apply to organisation categorised as associations.

(2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1331/F. No. DG/IT(E)/UP-11/35(1)(iii)/90-IT(E)]

R. SINGH, Dy. Director

कलकत्ता, 15 फरवरी, 1995

आयकर

का. आ. 1466:—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संघ" के संवर्ग के अधीन अनुमोदित किया गया है:—

- (1) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, प्रौद्योगिकी भवन "न्यू मेहरोली रोड, नई दिल्ली—110016 को भेजेगा, और
- (3) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन

पड़ता है और आयकर अधिनियम, 1961 की धारा 35 (1) में दी गई रिसर्च किया गया संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिमाव को भी प्रस्तुत करेगा।

संगठन का नाम

स्पैन रिसर्च सेन्टर,
174, न्यू इंडस्ट्रियल एस्टेट,
उधाना—394210, सूरत

यह अधिसूचना दिनांक 1-4-95 से 31-3-96 तक की अवधि के लिए प्रभावी है।

टिप्पणी :—1. उपर्युक्त शर्त (1) "संघ" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर-आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र की विभाग को प्रस्तुत करना है।

[संख्या 1332/एफ. सं. म. नि./आ. क. (छूट) जि-19/35 (1) (ii) 90-91]

आर. सिंह, उप निदेशक

Calcutta, the 15th February, 1995

INCOME TAX

S.O. 1466.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 under the category "Association" subject to the following conditions :

- (i) The organisation will maintain separate books of accounts for its research activities ;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year ; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited income and expenditure account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of the Income-tax Act, 1961.

NAME OF THE ORGANISATION

Span Research Centre, 174 New Industrial Estate,
Udhana-394210 (Surat) India, Surat.

This Notification is effective for the period from 1-4-1995 to 31-3-1996.

Notes.—(1) Condition (i) above will not apply to organisation categorised as associations.

(2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1332/F. No. DG/IT(E)/Cal/G-19/35(1)(ii)/90-91]
R. SINGH, Dy. Director

कलकत्ता, 16 फरवरी, 1995

आयकर

का. आ. 1467:—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (iii) के लिए आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर “संस्थान” के संवर्ग के अधीन अनुमोदित किया गया है:—

- (1) संगठन अनुसंधान कार्यों के लिए अलग लेखा-बहीयां रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, “प्रौद्योगिकी भवन” न्यू मेहरौली रोड, नई दिल्ली —1100116 को भेजेगा, और
- (3) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35 (1) में दी गई रिसर्च किया गया संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

लालभाई दलपत भाई इंस्टीट्यूट ऑफ इंडोलोजी,
गुजरात यूनीवर्सिटी के पास,
अहमदाबाद—380009

यह अधिसूचना दिनांक 30-6-94 से 31-3-96 तक की अवधि के लिए प्रभावी है।

टिप्पणी :—1. उपर्युक्त शर्त (1) “संव” जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवदन करें, अनुमोदन की अवधि के बढ़ाने संबंध में किए आवेदन-पत्र को विभाग को प्रस्तुत करना है।

[संख्या 1333/एफ. सं. म. नि./आ.क. (छूट) जि—69/35/(1) (iii) 90-91]

आर. सिंह, उप निदेशक

Calcutta, the 16th February, 1995

INCOME TAX

S.O. 1467.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purpose of clause (iii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 under the category “Institution” subject to the following conditions:

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, ‘Technology Bhawan’, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited and expenditure account in respect of its research and expenditure account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of the Income-tax Act, 1961.

NAME OF THE ORGANISATION

Lalbai Dalpatbhai Institute of Indology,
Nr. Gujarat University,
Ahmedabad-380009.

This Notification is effective for the period from 30-6-1994 to 31-3-1996.

Notes.—(1) Condition (i) above will not apply to organisation categorised as associations.

(2) The organisation is advised to apply in triplicate and well in advance for further extension of

the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation of Income-tax/Director of Income-tax. The approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1333/F. No. DG/IT(E)/Cal/G-69/35(1)(iii)/90-91]

R. SINGH, Dy. Director

कलकत्ता, 16 फरवरी, 1995

आयकर

का. आ. 1468 :—सर्वसाधारण को एतद्द्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संव" के संवर्ग के अधीन अनुमोदित किया गया है :—

- (1) संगठन अनुसंधान कार्यों के लिए अलग लेखा-बहियां रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन", न्यू मेहरौली रोड, नई दिल्ली—110016 को भेजेगा, और
- (3) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35 (1) में दी गई रिसर्च किया गया संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिमाव को भी प्रस्तुत करेगा।

संगठन का नाम

एम. पी. बिड़ला मेडिकल रिसर्च सेंटर,
बिड़ला बिल्डिंग, 9/1, आर. एन. मुखर्जी रोड,

कलकत्ता—700001

यह अधिसूचना दिनांक 1-4-94 से 31-3-97 तक की अवधि के लिए प्रभावी है।

टिप्पणी :—1. उपर्युक्त शर्त (1) "संव" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वह अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से

आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र को विभाग को प्रस्तुत करना है।

[संख्या 1334/एफ. सं. म. नि./आ. क. (छूट)/इ.स. वि—22/35 (1) (ii)/90-91]

आर. सिंह, उप निदेशक

Calcutta, the 16th February, 1995

INCOME TAX

S.O. 1468.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 under the category "Association" subject to the following conditions :

- (i) The organisation will maintain separate books of accounts for its research activities ;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year ; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited income and expenditure account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of the Income-tax Act, 1961.

NAME OF THE ORGANISATION

M.P. Birla Medical Research Centre,
Birla Building, 9/1, R. N. Mukherjee Road,
Calcutta-700001.

This Notification is effective for the period from 1-4-1994 to 31-3-1997.

Notes. —(1) Condition (i) above will not apply to organisation categorised as associations.

- (2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1334/F. No. DG/IT(F)/Cal-WB-22/35(1)(ii)/90-91]
R. SINGH, Dy. Director

कलकत्ता, 24 फरवरी, 1995

आयकर

क्र.सं. 1469.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के लिए, आयकर नियम के विभाग 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर 'संस्थान' श्रेणी के अधीन अनुमोदित किया गया है :—

- (i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा ;
- (ii) यह अपने वैज्ञानिक अनुसंधान सम्बन्धी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, 'प्रौद्योगिकी भवन', न्यू महेन्नी रोड, नई दिल्ली-110016 को भेजेगा, और
- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिसर्च किया गया सम्बन्धित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब की भी प्रस्तुत करेगा।

संगठन का नाम

नेशनल एकादमी ऑफ साइन्स, 5, लाजपत राय रोड, न्यू कटरा, अलाहाबाद-211002

यह अधिसूचना दिनांक 1-4-90 से 31-3-92 तक की अवधि के लिए प्रभावी है।

टिप्पणी :—1. उर्क्त शर्तें (i) "सब" जैसा संबंध के लिए लागू नहीं होगा।

2. संगठन को सूचाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियां में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में लिए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या 1335/ए.क.सं.म.नि./आ.क. (छूट)/यू.पी.
17/35(1)(ii)/90आ.क. (छूट)]

आर सिंह, उप निदेशक

Calcutta, the 24th February, 1995

INCOME TAX

S.O. 1469.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (iii) of sub-section (1) of Section 35 of the Income Tax Act, 1961 under the category "Institution" subject to the following conditions :—

- (i) The organisation will maintain separate books of accounts for its research activities ;

(ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, 'Technology Bhawan', New Mahrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and

(iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

National Academy of Science,
6, Lajpat Rai Road,
New Katra,
Allahabad-211002.

This Notification is effective for the period from 1-4-1990 to 31-3-1992.

Notes.—(1) Condition (i) above will not apply to organisations categorised as associations.

(2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1335/F. No. DG/IT(E)/UP-17/35(1)(ii)/90-IT(E)]

R. SINGH, Dy. Director

कलकत्ता, 24 फरवरी, 1995

आयकर

क्र.सं. 1470.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के लिए, आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर 'संघ' श्रेणी के अधीन अनुमोदित किया गया है :—

- (i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा ;

(ii) यह अपने वैज्ञानिक अनुसंधान सम्बन्धी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, 'प्रौद्योगिकी भवन', न्यू महेन्नी रोड, नई दिल्ली-110016 को भेजेगा, और

(iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिसर्च कार्यों सम्बन्धित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब की भी प्रस्तुत करेगा।

संगठन का नाम

नेशनल एकादमी आफ साइन्स, 5, लाजपत राय रोड,
न्यू कतरा, इलाहाबाद-211002

यह अधिसूचना दिनांक 1-4-92 से 31-3-95 तक की
अवधि के लिए प्रभावी है।

टिप्पणी:— 1. उपर्युक्त शर्त (i) "संव" जैसा संवर्ग के लिए लागू
नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की
अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक
(छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के
माध्यम से आयकर महानिदेशक (छूट), कलकत्ता का
तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने
के संबंध में किए आवेदन-पत्र का 6 प्रतियां सचिव,
वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत
करना है।

[संख्या 1336/एफ.सं.म.नि./आ.क. (छूट)/
यू.पो.-17/35(1)(ii)/90 आ.क. (छूट)]

आर सिंह, उप निदेशक

Calcutta, the 24th February, 1995

INCOME TAX

S.O. 1470.—It is hereby notified for general information
that the organisation mentioned below has been approved
by the Prescribed Authority under Rule 6 of the Income-tax
Rules, for the purposes of clause (ii) of sub-section (1) of
Section 35 of the Income-tax Act, 1961 under the category
"Association" subject to the following conditions:—

- (i) The organisation will maintain separate books of
accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific
research activities to the Secretary, Department of
Scientific & Industrial Research, "Technology
Bhawan", New Mehrauli Road, New Delhi-110016
for every financial year by 31st May of each year;
and
- (iii) It will submit to the (a) Director General of Income-
tax (Exemptions), (b) Secretary, Department of
Scientific & Industrial Research, and (c) Commis-
sioner of Income-tax/Director of Income-tax
(Exemptions), having jurisdiction over the organisa-
tion, by the 31st October each year, a copy of its
audited Annual Accounts and also a copy of audited
Income & Expenditure Account in respect of its
research activities for which exemption was granted
under sub-section (1) of Section 35 of Income-tax
Act, 1961.

NAME OF THE ORGANISATION

National Academy of Science,
6, Lajpat Rai Road,
New Katra,
Allahabad-211002.

This Notification is effective for the period from 1-4-1992
to 31-3-1995.

Notes :

- (1) Condition (i) above will not apply to organisations
categorised as associations.
- (2) The organisation is advised to apply in triplicate
and well in advance for further extension of the

approval to the Director General of Income tax
(Exemptions), Calcutta through the Commissioner
of Income-tax. Director of Income-tax (Exemptions)
having jurisdiction over the organisation. Six copies
of the application for extension of approval should
be sent directly to the Secretary, Department of
Scientific & Industrial Research.

[No. 1336/F, No. DG/IT(I)/UP-17/35(1)(ii)/90 IT(E)]

R. SINGH, Dy. Director

कलकत्ता, 24 फरवरी, 1995

आयकर

का. आ. 1471.—सर्वसाधारण को एतद्वारा सूचित
किया जाता है कि निम्नलिखित संगठन को, आयकर
अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड
(ii) के लिए, आयकर नियम के नियम 6 के अधीन विहित
प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संस्था" संवर्ग के
अधीन अनुमोदित किया गया है:—

(i) संगठन अनुसंधान कार्यों के लिए अलग लेखा
बहियां रखेगा।

(ii) यह अपने वैज्ञानिक अनुसंधान सम्बन्धी कार्यों
का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए,
प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक
अनुसंधान विभाग, "प्रौद्योगिकी भवन", न्यू महरौली रोड,
नई दिल्ली-110016 को भेजेगा, और

(iii) यह प्रत्येक वर्ष के 31 अक्तूबर तक लेखा
परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक
(छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान
विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक
(छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और
आयकर अधिनियम, 1961 की धारा 35(1) में दी गई
रिसर्च कार्यों से सम्बन्धित छूट के बारे में लेखा-परीक्षित
आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

लायंस कैमर रिसर्च सेन्टर,
मेडिकल कालेज कैम्पस, मजुरागेट,
सूरत-395001

यह अधिसूचना दिनांक 1-4-90 से 31-3-93 तक की
अवधि के लिए प्रभावी है।

टिप्पणी : 1 उपर्युक्त शर्त (1) "संव" जैसा संवर्ग के
लिए लागू नहीं होगा।

2 संगठन को सुझाव दिया जाता है कि वे अनु-
मोदन की अवधि बढ़ाने के लिए आयकर
आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्रा-
धिकार में संगठन पड़ता है के माध्यम से

आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की प्रवधि बढ़ाने के संबंध में किए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या 1337/एफ.सं.म.नि./आ.क. (छूट)/
जि-44/35(1)(ii)/90आ.क. (छू.)]

आर. सिंह, उप निदेशक

Calcutta, the 24th February, 1995

INCOME TAX

S.O. 1471.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 under the category "Association" subject to the following conditions :—

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, "Technology Bhawan", New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income & Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Lions Cancer Research Centre
Medical College Campus,
Majura Gate,
Surat-395001.

This notification is effective for the period from 1-4-90 to 31-3-93.

Notes :

- (1) Condition (i) above will not apply to organisations categorised as associations.
- (2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1337/F. No. DG/IT(E)/G-44]
35(1)(ii)/90-IT(E)]
R. SINGH, Dy. Director

कलकत्ता, 24 फरवरी, 1995

आयकर

का० आ० 1472—संस्थाधरण का एवम्प्रीन सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए, आयकर विषय के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संघ" श्रेणी के अधीन अनुमोदन किया गया है :—

- (i) संगठन अनुसंधान कार्यों के लिए अलग-अलग बहीयां रखेगा।
- (ii) यह अपने वैज्ञानिक अनुसंधान सम्बन्धी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन" न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा, और
- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षण वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई शर्तों तथा शर्त सम्बन्धित छूट के बारे में लेखा-परीक्षण आय-व्यय विवरण को भी प्रस्तुत करेगा।

संगठन का नाम

लायंस कैंसर रिसर्च सेन्टर, मेडिकल कॉलेज कैंपस,
मजरा गेट, सुरत-395001

यह अधिसूचना दिनांक 1-4-93 से 31-3-95 तक की अवधि के लिए प्रभावी है।

टिप्पणी : 1. उपर्युक्त शर्तें (1) "संघ" श्रेणी संबंध के लिए लागू नहीं होंगी।

2. संगठन को सूचित किया जाता है कि ये अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है को माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन कर, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या 1338/एफ.सं.म.नि./आ.क. (छूट)/
जि-44(35(1)(ii)/90-आ.क. (छू.)]

आर. सिंह, उप निदेशक

Calcutta, the 24th February, 1995

INCOME TAX

S.O. 1472.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6, of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income Tax Act, 1961 under the category "Association" subject to the following conditions :—

- (i) The organisation will maintain separate books of accounts for its research activities;

(ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year ; and

(iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of its audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Lions Cancer Research Centre,
Medical College Campus,
Majura Gate,
Surat-395001.

This notification is effective for the period from 1-4-93 to 31-3-95.

Notes.—(1) Condition (i) above will not apply to organisations categorised as associations.

(2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1338/F. No. DG/IT(E)/G-44
35(1)(ii)90-IT(E)]

R. SINGH, Dy. Director

कलकत्ता, 1 मार्च, 1995

आयकर

का. घा. 1473.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए, आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संस्थान" के संघर्ष के अधीन अनुमोदित किया गया है :—

- (i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा;
- (ii) यह अपने वैज्ञानिक अनुसंधान सम्बन्धी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, 'प्रौद्योगिकी भवन' न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा, और
- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई वित्तीय कार्यों सम्बन्धित छूट के बारे में लेखा-परीक्षण आय-व्यय हिमाज को भी प्रस्तुत करेगा।

संगठन का नाम

इंडियन इंस्टीट्यूट ऑफ टेक्नोलॉजी,

खड़गपुर-721302

यह अधिसूचना दिनांक 23-2-93 से 31-3-95 तक की अवधि के लिए प्रभावी है।

टिप्पणी :— 1 उपर्युक्त शर्त (1) "संघ" जैसा संघों के लिए लागू नहीं होगा।

2 संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या 1339/एफ.सं.म.नि./आ.क. (छूट)/

डब्ल्यू-वि-52/35(1)(ii)/90-91]

आर. सिंह, उप निदेशक

Calcutta, the 1st March, 1995

INCOME TAX

S.O. 1473.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purpose of clause (ii) sub-section (1) of Section 35 of the Income Tax Act, 1961 under the category "Institution" subject to the following conditions :—

- (i) The organisation will maintain separate books account for its research activities ;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its Audited Annual Accounts and also a copy of audited Income & Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961

NAME OF THE ORGANISATION :

Indian Institute of Technology,
Kharagpur, P.O. Kharagpur,
Pin-721302, West Bengal.

This notification is effective for the period from 23-2-93 to 31-3-95.

NOTES :

- (1) Condition (i) above will not apply to organisation categorised as associations.
- (2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1339/F. No. DG/IT(E)/Cal/WB-52/
35(1)(ii)/90-91]

R. SINGH, Dy. Director

कलकत्ता, 6 मार्च, 1995

आयकर

का.आ. 1474.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के लिए, आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संस्थान" संवर्ग के अधीन अनुमोदित किया गया है:—

(i) संगठन अनुसंधान कार्यों के लिए, अलग लेखा-बहियां रखेगा।

(ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रयोगिक भवन", न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा, और

(iii) यह प्रत्येक वर्ष के 31 अक्तूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उस संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिसर्च कार्यों संबंधी छूट के बारे में लेखा-परीक्षित आय-व्यय हिमात्र को भी प्रस्तुत करेगा।

संगठन का नाम

जयरामदास पटेल साइंटिफिक रिसर्च फाउंडेशन,
705, एरोस अपार्टमेंट, 56, नेहरू प्लेस,
नई दिल्ली-110019

यह अधिसूचना दिनांक 1-4-94 से 31-3-95 तक की अवधि के लिए प्रभावी है।

टिप्पणी : 1. उपरोक्त शर्तें (i) "सेव" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या 1340/एफ.सं.म.नि./आ.क. (छूट)/
एन.डी.-17/35(1)(ii)/90-91]

भारत सिंह, उप निदेशक

Calcutta, the 1st March,, 1995

INCOME TAX

S.O. 1474.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :

(i) The organisation will maintain separate books of accounts for its research activities;

(ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, "Technology Bhawan", New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and

(iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Jayaramadas Patel Scientific Research Foundation,
705, Eros Apartments, 56, Nehru Place,
New Delhi-110019.

This notification is effective for the period from 1-4-94 to 31-3-95.

Notes.—(1) Condition (i) above will not apply to organisations categorised as associations.

- (2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1340 (F.No. DG/IT(E)/Cal/ND-17/35(1)(ii)/90-91]

R. SINGH, Dy. Director

कलकत्ता, 7 मार्च, 1995

आयकर

का.आ. 1475—सर्वसाधारण का एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए, आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर “संस्थान” संवर्ग के अधीन अनुमोदित किया गया है :—

- (i) संगठन अनुसंधान कार्यों के लिए अलग लेखा-बहियां रखेगा।
- (ii) यह अपने वैज्ञानिक अनुसंधान सम्बन्धी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, “प्रौद्योगिक भवन”, न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा, और
- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिसर्च कार्य-कलाप सम्बन्धी (छूट) के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

नेशनल शिप डिजाइन एंड रिसर्च सेंटर, गांधी ग्राम, विशाखापटनम-530005

यह अधिसूचना दिनांक 11-6-91 से 31-3-93 तक की अवधि के लिए प्रभावी है।

टिप्पणी: 1. उपर्युक्त शर्तें (i) “संवर्ग” जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को मुझाव दिया कि अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता का तीन प्रतियां में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र को 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या 1341/एफ. सं. म. नि. /आ. क. (छूट)/
ए. पी. -23/35(1)(ii)/90-91]

आर. सिंह, उप निदेशक

Calcutta, the 7th March, 1995

(INCOME TAX)

S.O. 1475.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category “Institution” subject to the following conditions :—

- (i) The organisation will maintain separate books of accounts for its research activities ;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, ‘Technology Bhawan’, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year ; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income tax Act, 1961.

NAME OF THE ORGANISATION

National Ship Design and Research Centre,
Gandhigram, Vishakhapatnam-530005.

This Notification is effective for the period from 11-6-1991 to 31-3-1993.

NOTES :

1. Condition (i) above will not apply to organisations categorised as associations.
2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1341/F. No. DG/IT(E)/Cal/AP-23/35(1)(ii)/90-911
R. SINGH, Dy. Director

कलकत्ता, 7 मार्च, 1995

आयकर

का.आ. 1476.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के लिए, आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संस्थान" संवर्ग के अधीन अनुमोदित किया गया है :—

- (i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।
- (ii) यह अपने वैज्ञानिक अनुसंधान सम्बन्धी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन" न्यू, महरौली रोड, नई दिल्ली-110016 को भेजेगा, और
- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक, (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है, और आयकर अधिनियम, 1961 की धारा 35 (1) में दी गई रिमचें क्रियाकलाप सम्बन्धित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

नेशनल शिप डिजाइन एंड रिसर्च सेन्टर, गांधीनगर,
विशाखापटनम-530005

यह अधिसूचना दिनांक 1-4-93 से 31-3-95 तक की अवधि के लिए प्रभावी है।

टिप्पणी : 1. उपर्युक्त शर्तें (i) "संघ" जैसा संवर्ग के लिए लागू नहीं होंगी।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है, के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या 1342/एफ.सं. म.नि./आ.क. (छूट)/
ए.पी.-23/35(1)(ii) 90-91]

आर. सिंह, उप निदेशक

Calcutta, the 7th March, 1995

INCOME TAX

S.O. 1476.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :—

- (i) The organisation will maintain separate books of accounts for its research activities ;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year ; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

National Ship Design and Research Centre, Gandhigram,
Vishakapatnam-530005.

This Notification is effective for the period from 1-4-1993 to 31-3-1995.

NOTES :

1. Condition (i) above will not apply to organisations categorised as associations.

2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1342/F. No. DG/IT(E)/Cal/AP-23/35(1)(ii)/90-91]
R. SINGH, Dy. Director

कलकत्ता, 10 मार्च, 1995

आयकर

का. आ. 1477.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए, आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर “संघ” संवर्ग के अधीन अनुमोदित किया गया है :—

(i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।

(ii) यह अपने वैज्ञानिक अनुसंधान सम्बन्धी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, “प्रौद्योगिकी भवन” न्यू मोह्रावली रोड, नई दिल्ली-110016 को भेजेगा, और

(iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम 1961 की धारा 35(1) में दी गई रिसर्च कार्यों सम्बन्धित (छूट) के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

नेशनल इंस्टीट्यूट ऑफ रॉक मेकानिक्स (कोलार) चैंपियन पीकम
वी.ओ. कोलार गोल्डफील्ड्स, कर्नाटक-563117

यह अधिसूचना दिनांक 1-4-94 से 31-3-97 तक की अवधि के लिए प्रभावी है।

टिप्पणी : 1. उपर्युक्त शर्तें (1) “संघ” जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के

संबंध में किए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या : 1343/एक सं. म. नि./आ. क. (छूट) के डि-31/
35(1)(ii)]

आर. सिंह, उपनिदेशक

Calcutta the 10th March, 1995

INCOME-TAX

S.O. 1477.—It is hereby notified for General Information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income Tax Act, 1961 under the category “Association” subject to the following conditions :—

(i) The organisation will maintain separate books of accounts for its research activities ;

(ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, ‘Technology Bhawan’, New Mohrauli Road, New Delhi-110 016 for every financial year by 31st May of each year ; and

(iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income & Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

National Institute of Rock Mechanics (Kolar) Formerly—
Kolar Institute of Rock Mechanics and Ground Control,
Champion Reefs P.O., Kolar Gold Fields-563117,
Karnataka.

This Notification is effective for the period from 1-4-1994 to 31-3-1997.

Notes :—(1) Condition (i) above will not apply to organisations categorised as associations.

(2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary Department of Scientific and Industrial Research.

[No. 1343/F. No. DG/IT(E)/KT-31/35(1)(ii)]
R. SINGH, Dy. Director

कलकत्ता, 10 मार्च, 1995

आयकर

का.आ. 1478 :—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर “विश्वविद्यालय” के संवर्ग के अधीन अनुमोदित किया गया है :—

(i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।

(ii) यह अपने वैज्ञानिक अनुसंधान सम्बन्धी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन" न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा, और

(iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिमर्क कार्यों सम्बन्धित (छूट) के बारे में लेखा-परीक्षित आय-व्यय हिमाब को भी प्रस्तुत करेगा।

संगठन का नाम

नेशनल लॉ स्कूल आफ इंडिया यूनिवर्सिटी, नगरभावा,
पोस्ट बॉक्स नं. 7201, बंगलूर-560072

यह अधिसूचना दिनांक 1-4-94 से 31-3-97 तक की अवधि के लिए प्रभावी है।

टिप्पणी:—1. उपर्युक्त शर्त (1) "संघ" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए गए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या 1344/एफ.सं.म.ति./आ.क. (छूट)/
के.टी.-6/35(1)(ii)/89आ.क. (छूट)]

आर. सिंह, उपनिदेशक

Calcutta, the 10th March 1995

INCOME TAX

S.O. 1478.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (iii) of sub-section (1) of section 35 of the Income Tax Act, 1961 under the category "University" subject to the following conditions:—

(i) The organisation will maintain separate books of accounts for its research activities;

(ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110 016 for every financial year by 31st May of each year; and

(iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income & Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of the Income-tax Act, 1961.

NAME OF THE ORGANISATION

National Law School of India University Nagarbhavi,
Post Bag No. 7201, Bangalore-560072.

This Notification is effective for the period from 1-4-1994 to 31-3-1997.

Notes:—(1) Condition (i) above will not apply to organisations categorised as associations.

(2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1344/F. No. DG/IT(E)/KI-6/35(1)(ii)/89-IT(E)]

R. SINGH, Dy. Director

कलकत्ता, 10 मार्च, 1995

आयकर

कां.सं. 1479.—यहांसे अधिसूचना को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए, आयकर नियम के नियम 6 के अंतर्गत विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संघ" संवर्ग के अंतर्गत अनुमोदित किया गया है:—

(i) संगठन अनुसंधान कार्यों के लिए अलग-अलग लेखा बहियां रखेगा।

(ii) यह अपने वैज्ञानिक अनुसंधान सम्बन्धी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, प्रौद्योगिकी भवन, न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा, और

(iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिमर्क कार्यों सम्बन्धित छूट के बारे में लेखा-परीक्षित आय-व्यय हिमाब का भी प्रस्तुत करेगा।

संगठन का नाम

NAME OF THE ORGANISATION

सी-टेक सेंटर, 127, कान्दीवली इंडस्ट्रियल एस्टेट,
बम्बई-400067

Sci-Tech. Centre.
127, Kandivli Industrial Estate
Bombay-400067.

यह अधिसूचना दिनांक 1-4-92 से 31-3-95 तक की अवधि के लिए प्रभावी है।

This notification is effective for the period from 1-4-1994 to 31-3-1995.

NOTES :

- स्पष्टीकरण : 1. उपर्युक्त शर्तें (1) "संघ" जैसा संघों के लिए लागू नहीं होगा।
2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करनी हैं।

1. Condition (1) above will not apply to organisations categorised as associations.
2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax|Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1345/F. No. DG/IT(F)/M-98/35(1)(ii)/90-IT(E)]

R. SINGH, Dy. Director

[संख्या 1345/एफ. सं.म.नि./आ.क. (छूट)/
एम-98/35(1)(ii)/90] आ.क. (छू.)]

आर. सिंह, उपनिदेशक

कलकत्ता, 13 मार्च, 1995

आयकर

Calcutta, the 10th March, 1995

INCOME-TAX

S.O. 1479.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Association" subject to the following conditions :

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax|Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

का.आ. 1480.—सर्वसाधारण को एनद्द्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए, आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संस्थान" संघों के अधीन अनुमोदित किया गया है :—

- (i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।
- (ii) यह अपने वैज्ञानिक अनुसंधान सम्बन्धी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन" न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा, और
- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिमचं कार्यों से सम्बन्धित (छूट) के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

एशियन एनर्जी इंस्टीट्यूट, इ-475, ग्रेटर कैलाश,
नई दिल्ली-110048

यह अधिमूचना दिनांक 1-4-95 से 31-3-96 तक की अवधि के लिए प्रभावी है।

टिप्पणी 1. उपर्युक्त शर्त (i) "संघ" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयुक्त निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या 1346/एफ.सं.म.नि./आ.क. (छूट)/
एन.डी./103/35(1)(ii) 90-91]

आर. सिंह, उप निदेशक

Calcutta, the 13th March, 1995

INCOME TAX

S.O. 1480.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :

- (i) The organisation will maintain separate books of accounts for its research activities ;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year ; and
- (iii) It will submit to the (a) Director General of Income-tax, (Exemption), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION :

Asian Energy Institute E-475, Greater Kailash
New Delhi-110048.

This Notification is effective for the period from 1-4-1995 to 31-3-1996.
1188 GI/95—3.

Notes—(1) Condition (i) above will not apply to organisations categorised as associations.

(2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1346/F. No. DG/IT(E)/Cal/ND-103/35(1)(ii)/90-91]

R. SINGH, Dy. Director

कलकत्ता, 13 मार्च, 1995

आयकर

का. आ. 1481.—परिभाषण की एवज्जारा सूचित किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए, आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संस्थान" संवर्ग के अधीन अनुमोदित किया गया है :—

- (i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।
- (ii) यह अपने वैज्ञानिक अनुसंधान गन्तव्यो फाली का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन" न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा, और
- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षण वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयुक्त महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई शर्तों कायों सम्पन्न छूट के बारे में लेखापरीक्षण आदेशों द्वारा को प्रस्तुत करेगा।

संगठन का नाम

पारामाउन्ट एकाइमी आफ टेक्नोलॉजी, 2, पार्क मेन्शन
(1 लामाला) 57, पार्क स्ट्रीट, कलकत्ता-16

यह अधिमूचना दिनांक 1-4-95 से 31-3-97 तक की अवधि के लिए प्रभावी है।

टिप्पणी :—(1) उपर्युक्त शर्त (i) "संघ" जैसा संवर्ग के लिए लागू नहीं होगा।

- (2) संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयुक्त निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या 1347/एफ.सं.म.नि./आ.क. (छूट)/
इस्पू.-बी-39/35(1)(ii)/90-91]

आर. सिंह, उप निदेशक

Calcutta, the 13th March, 1995

कलकत्ता, 14 मार्च, 1995

INCOME TAX

आयकर

S.O. 1481.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited income and expenditure account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of the Income-tax Act, 1961.

NAME OF THE ORGANISATION

Paramount Academy of Technology,
2, Park Mansions (1st floor)
57 Park St., Calcutta-700016.

This Notification is effective for the period from 1-4-1995 to 31-3-1997.

NOTES : 1.—Condition (i) above will not apply to organisations categorised as associations.

2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1347/F. No. DG/TT(E)/Cal/WB-39/35(1)(ii)/90-91]

R. SINGH, Dy. Director

का.प्र. 1482.—सर्वसाधारण को एवद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए, आयकर नियम के नियम 6 के अर्थात् विहित प्राधिकारों द्वारा निम्नलिखित शर्तों पर "प्रस्थान" प्रवर्ग के अधीन अनुमोदित किया गया है :—

- (i) संगठन अनुसंधान कार्यों के लिए अलग सेखा बहियां रखेगा।
- (ii) यह अपने वैज्ञानिक अनुसंधान सम्बन्धी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन", न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा, और
- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक सेखा-पर-विन वार्षिक लेख, को प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिक्तियों कार्यों संबंधित छूट के बारे में सेखा-पर-विन प्राथम्यत्व विषय को प्रस्तुत करेगा।

संगठन का नाम

दी गुजरात कैंसर सोसायटी, न्यू सिविल हॉस्पिटल कम्पाउन्ड,
एसबी, अहमदाबाद-380016

यह अधिसूचना दिनांक 1-4-95 से 31-3-98 तक की अवधि के लिए प्रभावी है।

टिप्पणी :— 1. उपर्युक्त शर्तें (1) "संघ" जैसा संघों के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करे, अनुमोदन की अवधि बढ़ाने के संबंध में लिए आवेदन-पत्र को 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या 1348/एफ.सं.म.नि./आ.क. (छूट)/
जी-22/35(1)(ii)/90-91]

आर. सिंह, उप निदेशक

Calcutta, the 14th March, 1995

INCOME-TAX

S.O. 1482.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-Tax Act, 1961 under the category "Institution" subject to the following conditions :—

- (i) The organisation will maintain separate books of accounts for its research activities :

(ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, "Technology Bhawan", New Mehrauli Road New Delhi-110016 for every financial year by 31st May of each year; and

(iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

The Gujarat Cancer Society,
New Civil Hospital Compound,
Asarwa, Ahmedabad-380016.

This Notification is effective for the period from 1-4-1995 to 31-3-1998.

NOTES :

- (1) Condition (i) above will not apply to organisations categorised as associations.
- (2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1348/F. No. DG/IT(E)/Cal/G-22/35(1)(ii)/90-91]

R. SINGH, Dy. Director

कलकत्ता, 14 मार्च, 1995

आयकर

क्र. प्रा. 1483.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के लिए, आयकर नियम के नियम 6 के अधीन बिलित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संस्थान" संवर्ग के अधीन अनुमोदित किया गया है:—

- (i) संगठन अनुसंधान कार्यों के लिए चलन लेखा बहियां रखेगा।
- (ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन", न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा, और
- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा को प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिसर्च कर्यों संबंधित (छूट) के बारे में लेखा-परीक्षित प्रावश्यक हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

लोकमान्य तिलक हॉस्पिटल सिल्वर जुबली, रिसर्च फाउन्डेशन,
एल.टी.एम.जी. हॉस्पिटल सिटी, बम्बई-400022

यह अधिसूचना दिनांक 1-4-95 से 31-3-97 तक की अवधि के लिए प्रभावी है।

टिप्पणी: 1. उपर्युक्त शर्तें (1) "संघ" जैसा संवर्ग के लिए लागू नहीं होगी।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या : 1349/एफ.सं.म.नि./प्रा.क. (छूट)/
एम-104/35(1)(ii)/90-91]

आर. सिंह, उप निदेशक

Calcutta, the 14th March, 1995

INCOME-TAX

S.O. 1483.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-Tax Act, 1961 under the category "Institution" subject to the following conditions:

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, "Technology Bhawan", New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and

(iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Lokmanya Tilak Hospital Silver Jubilee,
Research Foundation, LTMG Hospital,
Suin, Bombay-400022.

This Notification is effective for the period from 1-4-95 to 31-3-97.

NOTES :

- (1) Condition (i) above will not apply to organisations categorised as associations.
- (2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1349/F. No. DG/IT(E)/Cal/M-104/35(1)(ii)/90-91]

R. SINGH, Dy. Director

कलकत्ता, 14 मार्च, 1995

Calcutta, the 14th March, 1995

आयकर

का.आ. 1484.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए, आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संस्थान" संवर्ग के अधीन अनुमोदित किया गया है :—

(i) संगठन अनुसंधान कार्यों के लिए अलग लेखा-बहियां रखेगा।

(ii) यह अपने वैज्ञानिक अनुसंधान सम्बन्धी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन" न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा, और

(iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिसर्च कार्यों से सम्बन्धित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

नारोजी गोडरेज सेंटर फार प्लांट रिसर्च, फिरोजशाह नगर, एल.बी.एस. मार्ग, विख्रोली, बम्बई-400079

यह अधिसूचना दिनांक 1-4-95 से 31-3-97 तक की अवधि के लिए प्रभावी है।

टिप्पणी : 1. उपर्युक्त शर्त (i) "संघ" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सूझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या 1350/एफ.सं.म.नि./आ.क. (छूट)/
एम-153/35(1)(ii)/90-91]

आर. सिंह, उप निदेशक

INCOME TAX

S.O. 1484.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :—

(i) The organisation will maintain separate books of accounts for its research activities ;

(ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, "Technology Bhawan", New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year ; and

(iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Naoroji Godrej Centre for Plant Research,
Phirojshanagar, LBS Marg, Vikhroli,
Bombay-400079.

This Notification is effective for the period from 1-4-95 to 31-3-97.

Notes.—(1) Condition (i) above will not apply to organisations categorised as associations.

(2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1350/F. No. DG/IT(E)/Cal/ND-153/35 1(ii)/90-91]

R SINGH, Dy. Director

कलकत्ता, 16 मार्च, 1995

आयकर

का. आ. 1485.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए, आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संघ" संवर्ग के अधीन अनुमोदित किया गया है :—

(1) संगठन अनुसंधान कार्यों के लिए अलग लेखा-बहियां रखेगा ;

(2) यह अपने वैज्ञानिक अनुसंधान सम्बन्धी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रीयोगिकी भवन", न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा; और

(3) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिस्कर्न कार्या में सम्बन्धित छूट के बारे में लेखा-परीक्षित आय-व्यय विवरण को भी प्रस्तुत करेगा।

(ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and

(iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

M. S. Swaminathan Research Foundation,
3rd Cross St., Taramani Industrial Area,
Madras-600113.

This Notification is effective for the period from 1-4-95 to 31-3-98.

Notes.— (1) Condition (i) above will not apply to organisations categorised as associations.

(2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1351/F. No. DG/IT(E)/TN-5/35(1)(ii)/89-IT(E)]

R. SINGH, Dy. Director

कलकत्ता, 16 मार्च, 1995

आयकर

का.भा. 1486:—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए, आयकर नियम के नियम 8 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संस्थान" संवर्ग के अधीन अनुमोदित किया गया है :—

(i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियाँ रखेगा।

(ii) यह अपने वैज्ञानिक अनुसंधान सम्बन्धी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रीयोगिकी भवन" न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा, और

संगठन का नाम

एम०एस० स्वामीनाथन रिसर्च फाउन्डेशन, 3रा क्रॉस स्ट्रीट, तारामणि इंडस्ट्रीयल एरिया, मद्रास-600113

टिप्पणी :—1. उपर्युक्त शर्त (1) "संघ" अंसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र की 6 प्रतियाँ सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या 1351/एफ० सं० म० न०/आ०क० (छूट)/टी०एन०-5/35(1)(ii)/89/आ.क. (छू.)]

आर. सिंह, उप निदेशक

Calcutta, the 16th March, 1995

INCOME TAX

S.O. 1485.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income Tax Act, 1961 under the category "Association" subject to the following conditions :—

(i) The organisation will maintain separate books of accounts for its research activities;

- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35 (1) में दी गई रिसर्च किया गया सम्बन्धित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

बम्बई नेचरल हिस्टोरी सोसायटी, हॉर्नबील हाउस, डा० सलीम अली चौक, शहीद भगत सिंह रोड, बम्बई-400023।

यह अधिसूचना दिनांक 1-4-95 से 31-3-98 तक की अवधि के लिए प्रभावी है।

टिप्पणी 1 उपर्युक्त शर्त (i) "संघ" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियां में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या 1352/एफ०सं० म०नि०/आ०क० (छूट)/एम-55/35(1)(ii)/89/आ०क० (छ)]

आर. सिंह, उप निदेशक

Calcutta, the 16th March, 1995

INCOME TAX

S.O. 1486.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :

- The organisation will maintain separate books of accounts for its research activities ;
- It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research and (c) Commissioner of Income-tax/Director of Income-tax

(Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exception was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION :

Bombay Natural History Society,
Hornbill House, Dr. Salim Ali Chowk,
Saheed Bhagat Singh, Road,
Bombay-400023.

This Notification is effective for the period from 1-4-95 to 31-3-98.

Notes : (1) Condition (i) above will not apply to organisations categorised as associations.

(2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1352/F. No. DG/IT(E)/M-55/35(1)(ii)/89/IT(E)]

R. SINGH, Dy. Director

कलकत्ता, 16 मार्च, 1995

आयकर

का. आ. 1487.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए, आयकर नियम, के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संघ" संवर्ग के अधीन अनुमोदित किया गया है :—

(i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।

(ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रायोगिकी भवन" न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा, और

(iii) यह प्रत्येक वर्ष के 31 अक्टूबर, तक लेखा परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट) (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35 (1) में दी गई रिसर्च कार्यों संबंधित छूट के बारे में लेखा-परीक्षित आय व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

डा० बाबा साहेब अम्बेडकर मेडीकल रिसर्च सोसायटी
'सिन्धुवीर' भाग्य नगर, औरंगाबाद-431 001

यह अधिसूचना दिनांक 30-1-95 से 31-3-97 तक
की अवधि के लिए प्रभावी है।

टिप्पणी: 1 उपर्युक्त शर्त (i) "संघ" जैसा संघर्ग के लिए लागू
नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन
की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर
निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन
पड़ता है के माध्यम से आयकर महानिदेशक (छूट),
कलकत्ता को तीन प्रतियों में आवेदन करें, अनु-
मोदन की अवधि बढ़ाने के संबंध में किए आवेदन-
पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक
अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या 1353/एफ० सं० म०नि०/आ०क० (छूट)/
एम-178/35 (1)(ii)/91/आ०क०(छूट)]

आर० सिंह, उप निदेशक

Calcutta, the 16th March, 1995

INCOME-TAX

S.O. 1487.—It is hereby notified for general infor-
mation that the organisation mentioned below has
been approved by the Prescribed Authority under
Rule 6 of the Income-tax Rules, for the purposes
of clause (ii) of sub-section (1) of section 35 of
the Income-tax Act, 1961 under the category "Asso-
ciation" subject to the following conditions :

- The organisation will maintain separate
books of accounts for its research activi-
ties;
- It will furnish the Annual Return of its
scientific research activities to the Secre-
tary, Department of Scientific & Industrial
Research, "Technology Bhawan", New
Mehrauli Road, New Delhi-110016 for
every financial year by 31st May of each
year; and
- It will submit to the (a) Director General
of Income-tax (Exemptions), (b) Secre-
tary, Department of Scientific & Industrial
Research, and (c) Commissioner of In-
come-tax/Director of Income-tax (Exemptions),
having jurisdiction over the organi-
sation, by the 31st October each year, a copy
of its audited Annual Accounts and also a
copy of audited Income and Expenditure
Account in respect of its research activities
for which exemption was granted under sub-
section (1) of Section 35 of Income-tax Act,
1961.

NAME OF THE ORGANISATION :

Dr. Babasaheb Ambedkar,
Medical Research Society,
'Sindhuteer', Bhagyanagar,
Aurangabad, Pin-431001.

This Notification is effective for the period from 30-1-95
to 31-3-97.

NOTES :

1. Condition (i) above will not apply to
organisations categorised as associations.
2. The organisation is advised to apply in tri-
plicate and well in advance for further
extension of the approval, to the Director
General of Income-tax (Exemptions), Cal-
cutta through the Commissioner of Income-
tax, Director of Income-tax (Exemptions),
having jurisdiction over the organisation.
Six copies of the application for extension
of approval should be sent directly to the
Secretary, Department of Scientific & Indus-
trial Research.

[No. 1353]F. No. DG/IT(E)/M-178/35(1)(ii)/91-IT(E)]

R. SINGH, Dy Director

कलकत्ता, 16 मार्च, 1995

आयकर

का.प्र. 1486.—सर्वसाधारण को एतद्वारा सूचित किया जाता है
कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा
35 की उपधारा (1) के खण्ड (ii) के लिए, आयकर नियम के नियम
6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संघ" श्रेणी
के अधीन अनुमोदित किया गया है :—

(i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।

(ii) यह अपने वैज्ञानिक अनुसंधान सम्बन्धी कार्यों का एक वार्षिक
विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव,
वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन" न्यू मेहरोली
रोड, नई दिल्ली-110016 को भेजेगा, और

(iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-
परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक
(छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान
विभाग, और (ग) आयकर आयुक्त/आयकर महानिदेशक
(छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है
और आयकर अधिनियम, 1961 की धारा 35 (1) में दी
गई रिमर्च क्रिया-कलाप सम्बन्धित छूट के बारे में लेखा
परीक्षित आय-व्यय हिमाब को भी प्रस्तुत करेगा।

संगठन का नाम

आर० एंड डी० सेंटर फार कले स्कूपिंग टाइल्स, ब्रीक्स
एंड ग्रदर मेरामीक प्रोडक्ट, कर्नाटक, रोजनरल इंजीनियरिंग
कालेज, काम्पस, पी०ओ० श्रीनिवास नगर दक्षिण कन्नड़-
574157।

यह अधिसूचना दिनांक 1-8-94 से 31-3-96 तक
की अवधि के लिए प्रभावी है।

टिप्पणी.—1 उपयुक्त शर्तें (i) "संघ" जैसा संघों के लिए लागू नहीं होगा।

- 2 संगठन को सूचित किया जाता है कि वे अनुमोदन की शर्तों के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की शर्तों के संबंध में किए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या 1354/एफ० सं० म०नि०/आ०क० (छूट)/
के०टी०-47/35(1)(ii) 90-91]

आर० सिंह, उप निदेशक

Calcutta, the 16th March, 1995

INCOME TAX

S.O. 1488.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :—

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, "Technology Bhawan", New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax|Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income & Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

R&D Centre for Clay Roofing Tiles Bricks and other Ceramic Products, Karnataka Regional Engineering College Campus, P.O. Srinivasanagar, PIN-574157, Dakshina Kannada, Karnataka.

This Notification is effective for the period from 1-8-94 to 31-3-96.

NOTES.—(1) Condition (i) above will not apply to organisations categorised as associations.

- (2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax|Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1354/F. No. DG|IT(E)|Cat|KT 47|35-
(i) (ii) 90-91]

R. SINGH, Dy. Director

कलकत्ता, 16 मार्च, 1995

आयकर

का. आ. 1489:—सर्वसाधारण को सूचित एतद्वारा किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए, आयकर नियम के नियम 6 के प्रयोजन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संस्थान" संवर्ग के अधीन अनुमोदित किया गया है :—

- (i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।
- (ii) यह अपने वैज्ञानिक अनुसंधान सम्बन्धी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, 'प्रौद्योगिकी भवन' न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा, और
- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति, (क) आयकर महानिदेशक (छूट), (ख) सचिव वैज्ञानिक तथा औद्योगिक, अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट), जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35 (1) में दी गई रिस्कर् किया गया सम्बन्धित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

NAME OF THE ORGANISATION

इंस्टीट्यूट फार डिजाइन ऑफ इलेक्ट्रिकल मेजूरिंग
इंस्ट्रूमेंट्स, स्वतन्त्रवीर तात्या तोपे मार्ग, चूनाभट्टी
सीयन पोस्ट, बम्बई-400022

Institute for Design of Electrical Measuring Instruments,
Swatantryaveer, 'Tatya Tope' Marg, Chunabhatti,
Sion P.O., Bombay-400022.

यह अधिसूचना दिनांक 1-4-95 से 31-3-98 तक की
अवधि के लिए प्रभावी है।

This Notification is effective for the period from 1-4-95
to 31-3-98.

टिप्पणी : 1. उपर्युक्त शर्त (1) "संव" जैसा संवर्ग के लिए
लागू नहीं होगा।

NOTES :

2. संगठन को सूझा दिया जाता है कि वे अनुमोदन
की अवधि बढ़ाने के लिए आयकर
आयुक्त/आयकर निदेशक (छूट), जिसके क्षेत्रा-
धिकार में संगठन पड़ता है के माध्यम से
आयकर महानिदेशक (छूट), कलकत्ता को तीन
प्रतियों में आवेदन करें, अनुमोदन की अवधि
बढ़ाने के संबंध में किए आवेदन-पत्र की 6
प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनु-
संधान विभाग को प्रस्तुत करना हैं।

1. Condition (i) above will not apply to orga-
nisation categorised as associations.

2. The organisation is advised to apply in tri-
plicate and well in advance for further ex-
tension of the approval, to the Director
General of Income-tax (Exemptions),
Calcutta through the Commissioner of In-
come-tax [Director of Income-tax (Exemp-
tions) having jurisdiction over the organisa-
tion. Six copies of the application for ex-
tension of approval should be sent directly
to the Secretary, Department of Scientific
and Industrial Research.

[संख्या 1355 / एफ० सं० सं०/आ०/आ० (छूट)/
एम-83/35 (1) (ii)/90/आ० क० (छ)]

आर. सिंह, उप निदेशक

CALCUTTA, the 16th March, 1995

[No. 1355/F. No. DG/IT(E)/M-83/35(1)(ii)/90 IT(E)]

INCOME TAX

R. SINGH, Dy. Director

S.O. 1489.—It is hereby notified for general infor-
mation that the organisation mentioned below has
been approved by the Prescribed Authority under
Rule 6 of the Income-tax Rules, for the purposes of
clause (ii) of sub-section (1) of Section 35 of the
Income-tax Act, 1961 under the category "Institu-
tion" subject to the following conditions :

कलकत्ता, 16 मार्च, 1995

आयकर

का.आ 1490.—सर्वसाधारण को एतद्वारा सूचित
किया जाता है कि निम्नलिखित संगठन को, आयकर अधि-
नियम, 1961 की धारा 35 की उपधारा (1) के खण्ड
(ii) के लिए, आयकर नियम के नियम 6 के अधीन
विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संस्थान" संवर्ग
के अधीन अनुमोदित किया गया है :—

- (i) The organisation will maintain separate
books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its
scientific research activities to the Secretary,
Department of Scientific and Industrial Re-
search, 'Technology Bhawan', New Me-
hraul Road, New Delhi-110016 for every
financial year by 31st May of each year;
and

- (i) संगठन अनुसंधान कार्यों के लिए अवगत देखा बढ़िया रखेगा,

- (iii) It will submit to the (a) Director General
of Income-tax (Exemptions), (b) Secretary,
Department of Scientific and Industrial Re-
search, and (c) Commissioner of Income-
tax [Director of Income-tax (Exemptions)
having jurisdiction over the organisation,
by the 31st October each year, a copy of
its audited Annual Accounts and also a
copy of audited Income and Expenditure
Account in respect of its research activities
for which exemption was granted under
sub-section (1) of Section 35 of the Income-
tax Act, 1961.

- (ii) यह अपने वैज्ञानिक अनुसंधान सम्बन्धी कार्यों का एक वार्षिक
विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष के 31 मई तक सचिव,
वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन", न्यू
मेहरोली रोड, नई दिल्ली-110016 को भेजेगा, और

- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक
लेखा की प्रती (क) आयकर महानिदेशक (छूट), (ख) सचिव वैज्ञानिक
संस्था औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त आयकर
महानिदेशक (छूट) जिसके क्षेत्राधिकार में उक्त संगठन पड़ता है आयकर
अधिनियम 1961 की धारा 35(1) में दो गई रिमार्क किया गया सम्बन्धित
छूट के शर्तों में उक्त-निरूपित आय-व्यय विवरण को भी प्रस्तुत करेगा।

संगठन का नाम

NAME OF THE ORGANISATION

दी बन्नाहोली फेमिली मेडिकल रिसर्च सोसायटी, सेंट
एन्ड्रयूज रोड, बन्ना, बम्बई-400050

The Bandra Holy Family Medical, Research Society,
St. Andrew's Road
Bandra Bombay-400050.

यह अधिसूचना दिनांक 1-4-95 से 31-3-97 तक
की अवधि के लिए प्रभावी है।

This Notification is effective for the period from 1-4-95
to 31-3-97.

टिप्पणी : 1. उल्लिखित शर्तें (1) "संव" जैसा संवर्ग के लिए लागू नहीं
होंगी।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की
अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक
(छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम
से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों
में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में
किंग्स एडमिनिस्ट्रेशन की 6 प्रतियां सचिव, वैज्ञानिक और
औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

Notes.—(1) Condition (i) above will not apply to organisations
categorised as associations.

- (2) The organisation is advised to apply in triplicate
and well in advance for further extension of the
approval, to the Director General of Income-tax
(Exemptions), Calcutta through the Commissioner
of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation.
Six copies of the application for extension of
approval should be sent directly to the Secretary,
Department of Scientific and Industrial Research.

[संख्या 1356/एफ० सं० म०नि०/आ०क० (छूट)/
एम-93/35 (1)(ii)]

आर० सिंह, उप निदेशक

[No. 1356/F. No. DG(IT)(E)/Cal/M-93/35(1)(ii)]

R. SINGH, Dy Director

Calcutta, the 16th March, 1995

INCOME TAX

कलकत्ता, 16 मार्च 1995

आयकर

S.O. 1490.—It is hereby notified for general information
that the organisation mentioned below has been approved
by the Prescribed Authority under Rule 6 of the Income-tax
Rules for the purposes of clause (ii) of sub-section (1) of
Section 35 of the Income-tax Act, 1961 under the category
"Institution" subject to the following conditions :—

का. आ. 1491.—सर्वसाधारण को एतद्वारा सूचित किया
जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम,
1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिये
आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा
निम्नलिखित शर्तों पर "संव" संवर्ग के अधीन अनुमोदित
किया गया है :—

- (i) The organisation will maintain separate books of
accounts for its research activities ;
- (ii) It will furnish the Annual Return of its scientific
research activities to the Secretary, Department of
Scientific and Industrial Research, 'Technology
Bhawan', New Mehrauli Road, New Delhi-110016
for every financial year by 31st May of each year ;
and
- (iii) It will submit to the (a) Director General of Income-
tax (Exemptions), (b) Secretary, Department of
Scientific and Industrial Research, and (c) Com-
missioner of Income-tax/Director of Income-tax
(Exemptions), having jurisdiction over the organi-
sation, by the 31st October each year, a copy of
its audited Annual Accounts and also a copy of
audited Income and Expenditure Account in respect
of its research activities for which exemption was
granted under sub-section (1) of Section 35 of
Income-tax Act, 1961.

- (i) संगठन अनुसंधान कार्यों के लिये अलग लेखा
बहियां रखेगा।
- (ii) यह अपने वैज्ञानिक अनुसंधान सम्बन्धी कार्यों का एक
वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये, प्रत्येक
वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक
अनुसंधान विभाग, "प्रौद्योगिकी भवन" न्यू मेहरोली
रोड, नई दिल्ली-110016 को भेजेगा, और
- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित
वार्षिक लेखा की प्रति (क) आयकर महानिदेशक
(छूट) (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनु-
संधान विभाग, और (ग) आयकर आयुक्त/आयकर
महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त
संगठन पड़ता है और आयकर अधिनियम, 1961
की धारा 35 (I) में दी गई रिसर्च किया गया
संबंधित छूट के बारे में लेखा-परीक्षित
आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

डायबेटिस रिसर्च सेंटर फाउंडेशन

4, मेन रोड, रायापूरम, मद्रास-600013

यह अधिसूचना दिनांक 1-4-95 से 31-3-98 तक की अवधि के लिए प्रभावी है।

टिप्पणी: 1. उपर्युक्त शर्त (i) "संघ" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या 1357 /एफ सं० म०नि०/आ०क० (छूट)/टी०एन०-18/35(i)(ii)]

आर. सिंह, उप निदेशक

Calcutta, the 16th March, 1995

INCOME TAX

S.O. 1491.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income Tax Act, 1961 under the category "Association" subject to the following conditions :

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year ; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Diabetes Research Centre Foundation,
4, Main Road, Royapuram,
Madras-600013.

This Notification is effective for the period from 1-4-95 to 31-3-98.

Notes.—(1) Condition (i) above will not apply to organisations categorised as associations.

- (2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1357/E. No. DG/IT(E)/TN-18/35(1)(ii)]

P. SINGH, Dy. Director

कलकत्ता, 16 मार्च, 1995

आयकर

का०आ० 1492—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए, आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संघ" संवर्ग के अधीन अनुमोदित किया गया है :—

- (i) संगठन अनुसंधान कार्यों के लिए प्रलग लेखा बहियां रखेगा।
- (ii) यह अपने वैज्ञानिक अनुसंधान सम्बन्धी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन" न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा, और
- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिमचं क्रियाकलाप सम्बन्धित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब की रूप प्रस्तुत करेगा।

संगठन का नाम

एरोनॉटिकल डिवलपमेंट एजेन्सी, पी०बी०-1718,
बिमानापुरा पोस्ट, बंगलौर-560017

यह अधिसूचना दिनांक 1-4-95 से 31-3-98 तक की अवधि के लिए प्रभावी है।

टिप्पणी: 1. उपर्युक्त शर्त (1) "संघ" जैसा संवर्ग लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या 1358 /एफ सं० म०नि०/आ०क० (छूट)/केटी-33/35(1)(ii)]

आर. सिंह, उप निदेशक

Calcutta, the 16th March, 1995

INCOME TAX

S.O. 1492.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income Tax Act, 1961 under the category "Association" subject to the following conditions:—

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Aeronautical Development Agency,
P.B-1718, Vimanapura Post,
Bangalore-560017.

This Notification is effective for the period from 1-4-95 to 31-3-98.

Notes.—(1) Condition (i) above will not apply to organisations categorised as associations.

- (2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1358/F. No. DG/IT(E)/KT-33/35(1)(ii)]

R. SINGH, Dy. Director

कलकत्ता, 16 मार्च, 1995

आयकर

क्र०आ० 1493.—सर्वसाधारण को एतद्द्वारा सूचित किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए, आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संस्थान" संवर्ग के अधीन अनुमोदित किया गया है:—

- (i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा;

(ii) यह अपने वैज्ञानिक अनुसंधान सम्बन्धी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन", न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा; और

(iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35 (1) में दी गई रिसर्च क्रिया कलाप सम्बन्धित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

इंडू फाउन्डेशन फार हेल्थ केयर, द्वारा इंडू फर्मा-स्यूटीकल वकर्स लिमिटेड, गोखेल रोड, सोन्य, बम्बई-400025

यह अधिसूचना दिनांक 1-4-95 से 31-3-97 तक की अवधि के लिए प्रभावी है।

टिप्पणी : 1. उपर्युक्त शर्त (i) "संव" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या 1359 /एफ०सं० म०नि०/आ०क० (छूट)/
एम-112/35 (1) (ii)]

आर सिंह, उप निदेशक

Calcutta, the 16th March, 1995

INCOME TAX

S.O. 1493.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income Tax Act, 1961 under the category "Institution" subject to the following conditions:—

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and

- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Zandu Foundation for Health Care
C/o Zandu Pharmaceutical Works Ltd.,
Gokhale Road South,
Bombay-400025.

This Notification is effective for the period from 1-4-95 to 31-3-97.

Notes.—(1) Condition (i) above will not apply to organisations categorised as associations.

- (2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1359/F. No. DG/IT(E)/M-112/35(1)(ii)]
R. SINGH, Dy. Director

कलकत्ता, 16 मार्च, 1995

आयकर

क्र.आ. 1494.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संस्था" संवर्ग के अधीन अनुमोदित किया गया है :—

- (i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा ;
- (ii) यह अपने वैज्ञानिक अनुसंधान सम्बन्धी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन", न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा; और
- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35 (1) में दी गई रिसर्च क्रिया द्वारा प्राप्त सम्बन्धित (छूट) के बारे में लेखा-परीक्षित प्रत्य-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

डी फाउन्डेशन फार मेडिकल रिसर्च,

84-ए, आर० जी० थडानी मार्ग, बरौली, बम्बई-400018

यह अधिसूचना दिनांक 1-4-94 से 31-3-98 तक की अवधि के लिए प्रभावी है।

टिप्पणी:—1. उपर्युक्त शर्त (1) "संघ" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन का सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिसके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या 1360/एफ. सं. म.नि./आ. क. (छूट)/एम
131/35(1)(ii) 90/आ. क. (छूट)]

आर. सिंह उप निदेशक

Calcutta, the 15th March, 1995

INCOME-TAX

S.O. 1494.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION :

The Foundation for Medical Research,
84-A, R. G. Thadani Marg, Worli,
Bombay-400018.

This Notification is effective for the period from 1-4-95 to 31-3-98.

NOTES :

1. Condition (i) above will not apply to organisations categorised as associations.
2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax|Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1360/F. No. DG|IT(E)|M|31|35(1)(ii)|90
IT(E)]

R. SINGH, Dy. Director

कलकत्ता, 16 मार्च, 1995

आयकर

का. आ. 1495.—सर्वसाधारण को एतद्द्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए, आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संस्थान" संवर्ग के अधीन अनुमोदित किया गया है :—

- (i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा ;
- (ii) यह अपने वैज्ञानिक अनुसंधान सम्बन्धी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय ब के लिए, प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन", न्यू महरौली रोड, नई दिल्ली-110016 को भेजेगा, और
- (iii) यह प्रत्येक वर्ष के 31 अक्तूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35 (1) में दी गई रिमर्च कार्यों से सम्बन्धित (छूट) के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

नेशनल इंस्टीच्यूट आफ कंस्ट्रक्शन मैनेजमेंट एंड रिसर्च,
वलचन्द सेन्टर, तरदेव रोड, बम्बई-400034

यह अधिसूचना दिनांक 1-4-94 से 31-3-95 तक की की अवधि के लिए प्रभावी है।

टिप्पणी :—1. उपर्युक्त शर्त (1) "संव" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या 1361/एफ० सं० म० नि०/आ०क० (छूट)/
एम-110/35 (1)(ii)/90)आ०क० (छूट)]

आर० सिंह, उपनिदेशक

Calcutta, the 16th March, 1995

INCOME TAX

S.O. 1495.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax|Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

संगठन का नाम

National Institute of Construction,
Management and Research, Walchand Centre,
Tardeo Road, Bombay-400034.

बी सिल्क एंड आर्ट्स सिल्क मिल्स रिमर्च एसोसियेशन,
मसमोरा, सममीरा मार्ग, वर्ली, बम्बई-400023

This Notification is effective for the period from 1-4-95 to 31-3-97.

बहु अधिसूचना दिनांक 1-4-94 से 31-3-98 तक की अवधि के लिए प्रभावी है।

NOTES :

1. Condition (i) above will not apply to organisations categorised as associations.
2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

टिप्पणी :—1. उपयुक्त शर्त (1) "संघ" जैसा संघों के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[No. 1361/F. No. DG/IT(E)/M-110/35/1(ii)/90
IT(E)]

R. SINGH, Dy. Director

कलकत्ता, 16 मार्च, 1995

आयकर

का. आ. 1496.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए, आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संस्थान" संघों के अधीन अनुमोदित किया गया है:—

[संख्या 1362/एफ०सं० म०नि०/आ०क० (छूट)/एम
129/35(1)(ii)90/आ.क. (छू.)]

आर. सिंह, उप निदेशक

CALCUTTA, the 16th March, 1995

INCOME TAX

S.O. 1496.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :

- (i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा ;
- (ii) यह अपने वैज्ञानिक अनुसंधान सम्बन्धी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष के 31 मई तक सचिव वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन" न्यू मेहरौली रोड, नई दिल्ली 110016 को भेजेगा; और
- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिमर्च कार्यों सम्बन्धित (छूट) के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

संगठन का नाम

The Silk & Art Silk Mills Research,
Association, Sasmira, Sasmira Marg,
Worli, Bombay-400025.

इलेक्ट्रॉनिकल रिसर्च एंड डिवेलपमेंट सेंटर,
बेलावमबाम, त्रिवेन्द्रम

This Notification is effective for the period from 1-4-95
to 31-3-97

यह अधिसूचना दिनांक 1-4-94 से 31-3-97 तक
का अवधि के लिए प्रभावी है।

NOTES :

1. Condition (i) above will not apply to organisations categorised as associations.
2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

INo. 1362/E. No. DG/IT(E)/M/129/35(1)(ii)/
90 IT(E)]

R. SINGH, Dy. Director

कायकत्ता, 27 मार्च, 1995

आय-कर

का. आ. 1497.—सर्वसाधारण को एतद्द्वारा सूचित किया जाना है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए, आयकर नियम के नियम 6 के अधीन विहित प्रधिकारों द्वारा निम्नलिखित शर्तों पर “संघ” संवर्ग के अधीन अनुमोदित किया गया है :—

- (i) संगठन अनुसंधान कार्यों के लिए अलग लेखा-बहियां रखेगा ;
- (ii) यह अपने वैज्ञानिक अनुसंधान सम्बन्धी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, “प्रौद्योगिकी भवन”, न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा, और
- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35 (1) में दी गई रिसर्च दिशा तथा सम्बन्धित (छूट) के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

टिप्पण :- 1. उपर्युक्त शर्त (1) “संघ” संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कायकत्ता को तीन प्रतियां भेजें, अनुमोदन की अवधि बढ़ाने के संबंध में किए गए आवेदन पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या 1363/एफ. मं. म. नि./आ. क. (छूट)/के-13/
35 (1) (ii)/93/आ. क. (छ.)]

आर. सिंह, उप निदेशक

CALCUTTA, the 27th March, 1995

INCOME-TAX

S.O. 1497.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 under the category “Institution” subject to the following conditions :

- (i) The organisation will maintain separate books of accounts for its research activities ;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, “Technology Bhawan”, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year ; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

संगठन का नाम

Electronics Research and Development Centre,
Vellavambalm,
Trivandrum.

This Notification is effective for the period from 1-4-1994 to 31-3-1997.

Notes :

1. Condition (i) above will not apply to organisations categorised as associations.
2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1363/F. No. DG/IT(E)/K.13/35(I)(ii)/93-IT(E)]
R. SINGH, Dy. Director

कलकत्ता, 27 मार्च, 1995

आयकर

का.आ. 1498:- सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संघ" संवर्ग के अधीन अनुमोदित किया गया है :-

- (i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।
- (ii) यह अपने वैज्ञानिक अनुसंधान सम्बन्धी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन" न्यू महरोली रोड, नई दिल्ली 110016 को भेजेगा, और
- (iii) यह प्रत्येक वर्ष के 31 अक्तूबर तक लेखा परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35 (1) में दी गई रिमर्क किया गया सम्बन्धित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

1188 GI/95-5.

फ्रेड्रिक इंस्टीट्यूट आफ प्लान्ट प्रोडक्शन एंड टोकसीलोजी,
पवपपाई-801301, चेंगाई, एमजीआर. जिला, तमिलनाडू
यह अधिसूचना दिनांक 1-4-95 से 31-3-98 तक की
अवधि के लिए प्रभावी है।

- टिप्पणी : 1. उपर्युक्त शर्तें (1) "संघ" जैसा संवर्ग के तहत लागू नहीं होगा।
2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या 1364/एफ. सं. म. नि./आ. क. (छूट)/टी०एन०
-43/35 (1) (ii)/90/आ.क (छू.)]

आर. सिंह, उपनिदेशक

Calcutta, the 27th March, 1995

INCOME-TAX

S.O. 1498.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income Tax Act, 1961 under the category "Association" subject to the following conditions:—

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income & Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Fredrick Institute of Plant Protection and
Toxology Padappai-801301, Chengai,
M.G.R. Dist., Tamil Nadu.

This Notification is effective for the period from 1-4-1995 to 31-3-1998.

NOTES :

- (1) Condition (i) above will not apply to organisations categorised as associations.

- (2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1364/F. No. DG/IT(E)/TN-43/35(1)(iii)/90-IT(E)]

R. SINGH, Dy. Director

कलकत्ता, 28 मार्च, 1995

आयकर

का.आ. 1499.— सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संघ" संवर्ग के अधीन अनुमोदित किया गया है :—

- (i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।
- (ii) यह अपने वैज्ञानिक अनुसंधान सम्बन्धी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिक भवन" न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा, और
- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35 (1) में दी गई रिसर्च किया गया सम्बन्धित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

मुद्रा फाउन्डेशन फार कमन्यूकेशन रिसर्च एंड एजुकेशन,
मुद्रा हाउस, सी जी रोड, एलीस ब्रीज, अहमदाबाद-
380006

यह अधिसूचना दिनांक 10-1-95 से 31-3-96 तक की अवधि के लिए प्रभावी है।

टिप्पणी: 1. उपर्युक्त शर्त (1) "संघ" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्रा-

धिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र को 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या 1365/एफ. सं. म. नि./आ. क. (छूट)/जी-71/
35 (1) (iii)/95 आं. कं. (छूट)]

आर. सिंह, उप निदेशक

Calcutta, the 28th March, 1995

INCOME-TAX

S.O. 1499.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (iii) of sub-section (1) of Section 35 of the Income Tax Act, 1961 under the category "Association" subject to the following conditions:

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110 016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION :

Mudra Foundation for Communications
Research and Education, Mudra House
C.G. Road, Ellis Bridge,
Ahmedabad-380006.

This Notification is effective for the period from 10-1-1995 to 31-3-1996.

NOTES: (1) Condition (i) above will not apply to organisations categorised as associations.

(2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1365/F. No. DG/IT(E)/G-71/35(1)(iii)/95-IT(E)]

R. SINGH, Dy. Director

कलकत्ता, 29 मार्च, 1995

प्रायकर

क्र.भा. 1500.—नईसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, प्रायकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के लिए, प्रायकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संघ" संघों के अश्वीन अनुमोदित किया गया है:—

(i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।

(ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन", न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा, और

(iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) प्रायकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग, और (ग) प्रायकर आयुक्त/प्रायकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और प्रायकर अधिनियम, 1961 की धारा 35(1) में दी गई, रिसर्च कार्यों संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

जी०एम०डी०सी० साइन्स एण्ड रिसर्च सेन्टर, अम्बाजी, जिला-बनसकांता, गुजरात-388510

यह अधिसूचना दिनांक 31-1-95 से 31-1-97 तक की अवधि के लिए प्रभावी है।

टिप्पणी—1. उपर्युक्त शर्त (1) "संघ" ऐसा संघों के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन को भवधि बढ़ाने के लिए प्रायकर आयुक्त/प्रायकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से प्रायकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में भावेदन करें, अनुमोदन को भवधि बढ़ाने के संघर्ष में किए भावेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या 1366/एफ. सं. म. नि./प्रा. क. (छूट)/जी-70/35(1) (ii)/94]

आर० सिंह, उपनिदेशक

Calcutta, the 29th March, 1995

INCOME-TAX

S.O. 1500.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-Tax Act, 1961 under the category "Institution" subject to the following conditions:—

(i) The organisation will maintain separate books of accounts for its research activities;

(ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, "Technology

Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and

(iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

GMDC Science and Research Centre
Ambaji, District Banaskanta,
Gujarat-388510.

This Notification is effective for the period from 31-1-1995 to 31-3-1997.

NOTES:

(1) Condition (i) above will not apply to organisations categorised as associations.

(2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1366/F. No. DG/IT(E)/G-70/35(1)(ii)/94]

R. SINGH, Dy. Director

कलकत्ता, 29 मार्च, 1995

प्रायकर

क्र.भा. 1501.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, प्रायकर अधिनियम 1961 की धारा 35 की उपधारा (1) के खंड (ii) के लिए, प्रायकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संघ" संघों के अश्वीन अनुमोदित किया गया है:—

(i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा;

(ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन", न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा; और

(iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) प्रायकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग, और (ग) प्रायकर आयुक्त/प्रायकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और प्रायकर अधिनियम, 1961 की धारा 35 (1) में दी गई रिसर्च कार्यों संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

वी रिसर्च सोसायटी प्राफ वी बॉम्बे कालेज प्राफ फा मॅसी, कलाना, सान्ता कुज (पू.) बम्बई- 400098

यह अधिसूचना दिनांक 1-4-95 से 31-3-96 तक की अवधि के लिए प्रभावी है।

टिप्पणी : 1. उपर्युक्त शर्तें (1) "संघ" जैसा संघों के लिए लागू नहीं होगा।

कलकत्ता, 29 मार्च, 1995

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या 1367/एफ. सं. म. नि. आ. क. (छूट)/एम-82/35 (1) (ii)]

भार. सिंह, उप निदेशक

Calcutta, the 29th March, 1995

INCOME-TAX

S.O. 1501.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-Tax Act, 1961 under the category "Association" subject to the following conditions:—

- The organisation will maintain separate books of accounts for its research activities;
- It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

The Research Society of the Bombay College of Pharmacy, Kalina, Santacruz (East), Bombay-400098.

This Notification is effective for the period from 1-4-1995 to 31-3-1996.

NOTES:

- Condition (i) above will not apply to organisations categorised as associations.
- The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1367/F. No. DG/IT(E)/M-82/35(1)(ii)]

R. SINGH, Dy. Director

आयकर

का. आ. 1502.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 को उपधारा (1) के खण्ड (ii) के लिए, आयकर नियम के नियम 6 के अधीन विहित प्राधिकारों द्वारा निम्नलिखित शर्तों पर "संस्थान" संघों के समीन अनुमोदित किया गया है:—

(i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।

(ii) यह अपने वैज्ञानिक अनुसंधान सम्बन्धी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष की 31 मई तक सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन" न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा, और

(iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई, रिसर्च कार्यों सम्बन्धित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

टाटा मेमोरियल सेंटर,

डा. एरनेस्ट बोरजस रोड, परेल, बम्बई - 400012

यह अधिसूचना दिनांक 1-4-95 से 31-3-98 तक की अवधि के लिए प्रभावी है।

टिप्पणी:— 1. उपर्युक्त शर्तें (1) "संघ" जैसा संघों के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट), जिनके क्षेत्राधिकार में संगठन पड़ता है, के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करता है।

[संख्या 1368/एफ. सं. म. नि./आ. क. (छूट)/एम-36/35 (1) (ii)]

भार. सिंह, उप निदेशक

Calcutta, the 29th March, 1995

INCOME TAX

S.O. 1502.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income Tax Act, 1961 under the category "Institution" subject to the following conditions:—

- The organisation will maintain separate books of accounts for its research activities;
- It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and

(iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/ Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income & Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Tata Memorial Centre,
Dr. Ernest Borges Road,
Parel,
Bombay-400012.

This Notification is effective for the period from 1-4-1995 to 31-3-1998.

Notes :—(1) Condition (i) above will not apply to organisations categorised as associations.

(2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1368/F. No. DG/IT(E)/M-36/35(1)(ii)]
R. SINGH, Dy. Director

कलकत्ता, 29 मार्च, 1995

आयकर

का.आ. 1503.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए, आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर “संघ” संवर्ग के अधीन अनुमोदित किया गया है :—

(i) संगठन अनुसंधान कार्यों के लिए असंग लेखा बहिया रखेगा।

(ii) यह अपने वैज्ञानिक अनुसंधान सम्बन्धी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, “प्रौद्योगिकी भवन”, न्यू महरौली रोड, नई दिल्ली-110016 को भेजेगा, और

(iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिसर्च कार्यों से सम्बन्धित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

सोसायटी फार डिवलपमेंट अल्टरनेटिवम,
बी - 32, तारा क्रैमेन्ट, कुतुब इंडीस्ट्रियल एरिया,
नई दिल्ली - 16

यह अधिसूचना दिनांक 1-4-95 से 31-3-98 तक की अवधि के लिए प्रभावी है।

टिप्पणी : 1. उपर्युक्त शर्त (i) “संघ” जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या 1369/एफ. सं. म. नि. आ. क. (छूट)/एनडी-19/35(1) (ii)]

आर० सिंह, उप निदेशक

Calcutta, the 29th March, 1995

INCOME TAX

S.O. 1503 —It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6, of the Income-tax Rules for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income Tax Act, 1961 under the categories “Association” subject to the following conditions :—

(i) The organisation will maintain separate books of accounts for its research activities ;

(ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, ‘Technology Bhawan’, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year ; and

(iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Society for Development Alternatives,
B-132, Tara Crescent,
Outub Institutional Area,
New Delhi-16.

This Notification is effective for the period from 1-4-1995 to 31-3-1998.

NOTES :

1. Condition (i) above will not apply to organisations categorised as associations.
2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1369/F. No. DG/IT(E)/ND-19/35(1)(ii)]

R. SINGH, Dy. Director

कलकत्ता, 31 मार्च, 1995

आयकर

का. आ. 1504.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए, आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संस्थान" संवर्ग के अधीन अनुमोदित किया गया है :—

(i) संगठन अनुसंधान कार्यों के लिए अलग लेखा-बहियां रखेगा।

(ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन", न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा, और

(iii) यह प्रत्येक वर्ष के 31 अक्टूबर, तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग, और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट), जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35 (1) में दी गई रिसर्च क्रिया-कलाप संबंधित छूट अधिनियम, 1961 के बारे में लेखा-परीक्षा आय व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

समराज्ञ एमजिंग टेक्नोलोजीज,
सॉफ्ट नं. 17, 1 फेज, धीनया इंडस्ट्रीयल एरिया,
बंगलूर - 560058

यह अधिसूचना दिनांक 5-5-93 से 31-3-96 तक की अवधि के लिए प्रभावी है।

टिप्पणी : 1. उपर्युक्त शर्त (i) "संघ" जैसा संवर्ग के लिये लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिये आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किये आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[संख्या 1370/एफ. सं. म. नि./आ. क. (छूट)/के. टी-48/
35 (1) (ii)]

आर० सिंह, उप निदेशक

Calcutta, the 31st March, 1995

S.O. 1504—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income tax Act, 1961 under the category "Institution" subject to the following conditions :

(i) The organisation will maintain separate books of accounts for its research activities ;

(ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year ; and

(iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Sunrise Emerging Technologies,
Site No. 17, I Phase, Peenya Industrial Area,
Bangalore-560058.

This notification is effective for the period from 5-5-1993 to 31-3-1996.

Notes—(1) Condition (i) above will not apply to organisation categorised as associations.

- (2) The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 1370/F. No. DG/IT(E)/KT-48/35(1)(ii)]

R. SINGH, Dy. Director

कलकत्ता, 31 मार्च, 1995

CALCUTTA, the 31st March, 1995

आयकर

INCOME TAX

को. आ. 1505:—सर्वसाधारण को एनद्द्वारा सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए, आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर “संस्थान” संवर्ग के अधीन अनुमोदित किया गया है:—

- (i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा ;
- (ii) यह अपने वैज्ञानिक अनुसंधान सम्बन्धी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, “प्रोद्योगिकी भवन”, न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा ; और
- (iii) यह प्रत्येक वर्ष के 31 अक्तूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महा-निदेशक (छूट), (ख) सचिव, वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35 (1) में दी गई रिसर्च किया गया सम्बन्धित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब की भी प्रस्तुत करेगा ।

संगठन का नाम

इंडियन कोपर डिवलपमेंट सेंटर,
27 - बी, कैमैक स्ट्रीट, कलकत्ता - 700016

यह अधिसूचना दिनांक 1-4-94 से 31-3-97 तक की अवधि के लिए प्रभावी है ।

टिप्पणी : 1. उपर्युक्त शर्त (i) “संघ” जैसा संवर्ग के लिये लागू नहीं होगा ।

2. संगठन को सूझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिये आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किये आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है ।

[संख्या 1371/एफ. सं. म. नि./आ. क. (छूट) डब्ल्यू -
बी - 19/35 (1)(ii)]
आर. सिंह, उप निदेशक

S.O. 1505.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 under the category “Institution” subject to the following conditions :

- (i) The organisation will maintain separate books of accounts for its research activities ;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, ‘Technology Bhawan’, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year ; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax|Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Indian Copper Development Centre, 27-B, Camac Street, Calcutta-700016.

This notification is effective for the period from 1-4-94 to 31-3-97.

Notes :

1. Condition (i) above will not apply to organisations categorised as associations.
2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax|Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1371/F. No. DG/IT(E)W.B. 19/35(1)(ii)]

R. SINGH, Dy. Director

वित्त मंत्रालय
(राजस्व विभाग)

आदेश

नई दिल्ली, 18 मई, 1995

का.आ. 1506.—भारत सरकार के संयुक्त सचिव ने जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम 1974 (1974 का 52) की धारा 3 की उपधारा 1 के अधीन आदेश फा. सं. 673/43/94-सी.शु. दिनांक 24-5-1994 को यह निदेश जारी किया था कि श्री टी. के. अब्दुला मुपुत्र श्री अनुमान मार्फत मैमर्स होलीडे होम, ए-2/11 सफदरजंग इन्क्लेव, नई दिल्ली (2) थाथिलपालीकेरा (मकान नं. पी-8/329) राउफ मंजिल, होमबुर्ग, कासारगोड, केरला को सिद्ध कर लिया जाए और केन्द्रीय कारागार तिहाड़, नई दिल्ली में अभिरक्षा में रखा जाए ताकि उसे भविष्य में तस्करीत माल का दुष्प्रेरण करने से रोका जा सके।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके;

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकीय राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस आयुक्त दिल्ली के समक्ष हाजिर हों।

[फा. सं. 673/43/94-सी.शु.-8]

ए. के. सिन्हा, अवर सचिव

MINISTRY OF FINANCE

(Department of Revenue)

ORDER

New Delhi, the 18th May, 1995

S.O. 1506.—Whereas the Joint Secretary to the Government of India specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974), issued order F. No. 673/43/94-Cus. VIII, dated 24-5-1994 under the said sub-section directing that Shri T. K. Abdulla S/o. Anduman C/o. M/S. Holiday Home, A-2/11, Safdarjung Enclave, New Delhi (2) Thethil Pallikera (H. No. P VIII/329), Rauff Manzil Hosdurg, Kasaragod, Kerala, be detained and kept in custody in the Central Prison Tihar, New Delhi with a view to preventing him from abetting the smuggling of goods in future.

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of the power conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner, Delhi within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/43/94-Cus. VIII]

A. K. SINHA, Under Secy.

आदेश

नई दिल्ली, 22 मई, 1995

का.आ. 1507.—भारत सरकार के संयुक्त सचिव ने जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम 1974 (1974 का 52) की धारा 3 की उपधारा 1 के अधीन आदेश फा. सं. 673/195/94-सी.शु. दिनांक 8-8-1994 को यह निदेश जारी किया था कि श्री जोगिन्दर पाल सुपुत्र श्री मानगा राम, गांव डोक खालसा, तहसील अखनूर जिला जम्मू, जम्मू एवं काश्मीर को निरुद्ध कर लिया जाए और केन्द्रीय कारागार जम्मू में अभिरक्षा में रखा जाए ताकि उसे भविष्य में माल की तस्करी एवं तस्करीत माल के संवहन से रोका जा सके।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है। अपने को छिपा रहा है जिससे उक्त आदेशों का निष्पादन नहीं हो सके;

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकीय राजपत्र में प्रकाशन के 7 दिन के भीतर डायरेक्टर जनरल पुलिस, चण्डीगढ़ के समक्ष हाजिर हों।

[फा. सं. 673/105/94-सी.शु.-8]

ए. के. सिन्हा, अवर सचिव

ORDER

New Delhi, the 22nd May, 1995

S.O. 1507.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974), issued order F. No. 673/105/94-Cus. VIII, dated 8-8-1994 under the said sub-section directing that Shri Joginder Pal S/o. Shri Manga Ram Village Dhok Khalsa, Tehsil Akhnour, Distt. Jammu, J&K, be detained and kept in custody in the Central Prison Jammu with a view to preventing him from smuggling goods and engaging in transporting smuggled goods in future.

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself as that the order cannot be executed;

3. Now, therefore, in exercise of the power conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner/Director General of Police, Punjab, Chandigarh within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/105/94-Cus. VIII]

A. K. SINHA, Under Secy.

आदेश

नई दिल्ली, 22 मई, 1995

का.आ. 1508.—भारत सरकार के संयुक्त सचिव ने जिसे (विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा 1 के अधीन आदेश

फा. सं. 673/67/94-सी. शु. दिनांक 24-5-1994 को यह निदेश जारी किया था कि श्री मोहम्मद नाजीम मोहम्मद फारूख उर्फ सालाउद्दीन (1) 43-ए न्यू मूर स्ट्रीट, कोलम्बो-12, श्रीलंका (2) 158-सी संगम पाली वसल स्ट्रीट, जिला मदुरै, तमिल नाडु को निरुद्ध कर लिया जाए और केन्द्रीय कारागार बम्बई में अभिरक्षा में रखा जाए ताकि उसे भविष्य में माल की तस्करी करने से रोका जा सके।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके;

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकीय राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस आयुक्त, बम्बई के समक्ष हाजिर हों।

[फा. सं. 673/67/94-सी. शु.-8]

ए. के. सिन्हा, अवर सचिव

ORDER

New Delhi, the 22nd May, 1995

S.O. 1508.—Whereas the Joint Secretary to the Government of India specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/67/94-Cus. VIII, dated 24-5-1994 under the said sub-section directing that Shri Mohamed Nazeem Mohd. Farooq & Salahuddin Nazeem (1) 43-A, New Moor Street, Colombo-12, Sri Lanka (2) 158-C Sungam Palli Vasal Street, Madurai Distt. Tamil Nadu, be detained and kept in custody in the Central Prison Bombay with a view to preventing him from smuggling good in future.

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself as that the order cannot be executed;

3. Now, therefore, in exercise of the power conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner/Director General of Police, Bombay within 7 days of the publication of this order in the Chief Gazette.

[F. No. 673/67/94-Cus. VIII]

A. K. SINHA, Under Secy.

आदेश

नई दिल्ली, 22 मई, 1995

का.आ. 1509.—भारत सरकार के संयुक्त सचिव ने जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा 1 के अधीन आदेश फा. सं. 673/15/94-सी. शु. दिनांक 15-2-1994 को यह निदेश जारी किया था कि श्री सोम राज उर्फ सोमा सुपुत्र श्री मंहगा राम, पता: बाई नं. 8, आर.एस. पुरा जिला जम्मू, जम्मू एवं काश्मीर को निरुद्ध कर लिया जाए और केन्द्रीय कारागार जम्मू में अभिरक्षा में रखा जाए ताकि उसे भविष्य में तस्करी माल के संवहन से रोका जा सके।

1188 GI/95—6

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके;

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकीय राजपत्र में प्रकाशन के 7 दिन के भीतर डायरेक्टर जनरल के समक्ष हाजिर हों।

[फा. सं. 673/15/94-सी. शु.-8]

ए. के. सिन्हा, अवर सचिव

ORDER

New Delhi, the 22nd May, 1995

S.O. 1509.—Whereas the Joint Secretary to the Government of India specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F.No. 673/15/94-Cus. VIII dated 15-2-1994 under the said sub-section directing that Shri Som Raj alias Soma S/o Shri Mehenga Ram, R/o Ward No. 8, R.S. Pura, Distt. Jammu, J & K be detained and kept in custody in the Central Prison, Jammu with a view to preventing him from engaging in transporting smuggled goods in future.

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself as that the order cannot be executed;

3. Now, therefore, in exercise of the power conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner/Director General of Police, J & K within 7 days of the publication of this order in the Official Gazette.

[F.No. 673/15/94-Cus. VIII]

A.K. SINHA, Under Secy.

आदेश

नई दिल्ली, 22 मई, 1995

का.आ. 1510.—भारत सरकार के संयुक्त सचिव ने जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा 1 के अधीन आदेश फा. सं. 673/14/94-सी. शु. दिनांक 15-2-1994 को यह निदेश जारी किया था कि श्री अशोक कुमार सुपुत्र श्री ज्ञान चन्द, पता: बाई नं. 8, आर.एस. पुरा जिला जम्मू, जम्मू एवं काश्मीर को निरुद्ध कर लिया जाए और केन्द्रीय कारागार जम्मू में अभिरक्षा में रखा जाए ताकि उसे भविष्य में तस्करी माल के संवहन से रोका जा सके।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके;

3. उक्त उपर्युक्त केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकीय राजपत्र में प्रकाशन के 7 दिन के भीतर डायरेक्टर जनरल, पुलिस जम्मू एवं कश्मीर के समक्ष हाजिर हों।

[फा. सं. 673/14/94-सी. ज. -8]

ए. के. सिन्हा, अवसर सचिव

ORDER

New Delhi, the 22nd May, 1995

S.O.1510.—Whereas the Joint Secretary to the Government of India specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F.No. 673/14/94-Cus. VIII dated 15-2-1994 under the said sub-section directing that Shri Ashok Kumar S/o Shri Gian Chand R/o Ward No. 8 R. S. Pora, District Jammu, J & K be detained and kept in custody in the Central Prison, Jammu with a view to preventing him from engaging in transporting smuggled goods in future.

2. Whereas the Central Government has reason to believe that the aforesaid person has abanded or is concealing himself as that the order cannot be executed;

3. Now, therefore, in exercise of the power conferred by clause (b) of sub-section (1) of section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner/Director General of Police, J & K within 7 days of the publication of this order in the official Gazette.

[F. No. 673/14/94-Cus. VIII]

A.K. SINHA, Under Secy.

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 15 मई, 1995

का. आ. 1511.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 3 के उपखंड (1) के साथ पठित बैंककारी कम्पनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970 की धारा 9 की उपधारा 3 के खण्ड (च) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात्, एतद्द्वारा, श्री के. वी. पई, वर्तमान महा सचिव, देना बैंक अधिकारी संघ) इस समय देना बैंक, लेखा विभाग, बम्बई मुख्य कार्यालय में मुख्य प्रबंधक (लेखा) के रूप में कार्यरत) को 15 मई, 1995 से 14 मई, 1998 तक के लिए, या जब तक वे देना बैंक के एक अधिकारी के रूप में अपनी सेवा छोड़ नहीं देते हैं, इनमें से जो भी पहले हो, श्री बी. टी. रामचन्द्र रेड्डी के स्थान पर देना बैंक के निदेशक संयंत्र से निदेशक के रूप में नामित करती है।

[स. एफ 9/23/94—बी. ओ.-1]

के. के. मंगल, अवसर सचिव

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 15th May, 1995

S.O. 1511.—In exercise of the powers conferred by clause (f) of sub-section 3 of section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 read with sub-clause (1) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby nominates Shri K.V. Pai, presently General Secretary of Dena Bank Officers' Federation (working as Chief Manager (Accounts) and posted at Dena Bank, Accounts Department, Bombay Main Office) as a Director on the Board of Dena Bank vice Shri B.T. Ramachandra Reddy, with effect from 15th May, 1995 and upto 14th May, 1998, or until he ceases to be an officer of Dena Bank, whichever is earlier.

[F.No. 9/23/94-BO.I]

K.K. MANGAL, Under Secy.

नई दिल्ली, 15 मई, 1995

का. आ. 1512.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर यह घोषणा करती है कि उक्त अधिनियम की धारा 11 की उप धारा 1 के उपबंध इस अधिसूचना के भारत के राजपत्र में प्रकाशित होने की तारीख से 31 मार्च, 1998 तक चित्रदुर्ग डिस्ट्रिक्ट सेंट्रल सहकारी बैंक लि., चित्रदुर्ग (कर्नाटक राज्य) पर लागू नहीं होगा।

[फा. सं. 1(4)/95-ए. सी.]

एस. के. जे. श्रीवास्तव, उप सचिव

New Delhi, the 15th May, 1995

S.O. 1512.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on the recommendations of the Reserve Bank of India declares that the provisions of sub-section 1 of Section 11 of the said Act shall not apply to the Chitradurga District Central Co-operative Bank Ltd., Chitradurga (Karnataka State) from the date of publication of this notification in the Official Gazette to 31 March 1998.

[F. No. 1(4)/95-AC]

SUDHIR SRIVASTAVA, Dy. Secy.

नई दिल्ली, 15 मई, 1995

का. आ. 1513.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर यह घोषणा करती है कि उक्त अधिनियम की धारा 11 की उप धारा 1 के उपबंध इस अधिसूचना के भारत के राजपत्र में प्रकाशित

होने की तारीख से 31 मार्च, 1997 तक कैरा जिला केन्द्रीय सहकारी बैंक लि., (गुजरात राज्य) पर लागू नहीं होंगे।

[एफ. सं. 1(6)/95-ए. सी.]

एस. के. जे. श्रीवास्तव, उप सचिव

New Delhi, the 15th May, 1995

S.O. 1513.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on the recommendations of the Reserve Bank of India declares that the provisions of sub-section 1 of Section 11 of the said Act shall not apply to the Kaira District Central Cooperative Bank Ltd., (Gujarat State) from the date of publication of this notification in the Official Gazette to 31-3-1997.

[F. No. 1(6)/95-AC]

SUDHIR SRIVASTAVA, Dy. Secy.

नई दिल्ली, 16 मई, 1995

का. आ. 1514.—राष्ट्रीयकृत बैंक (प्रबंध एवं प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 3 के उपखण्ड (1) के साथ पठित बैंककारी कम्पनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970 की धारा 9 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् एतद्वारा निम्नलिखित व्यक्तियों को 16 मई, 1995 को आरंभ होने वाली तीन वर्षों की अवधि के लिए देना बैंक के बोर्ड में निदेशक के रूप में नामित करती है :—

1. श्री एस. एम. कर्नावट, बैंककारी कम्पनी (उपक्रमों 2ए, किताब महल, का अर्जन एवं पहली मंजिल, अंतरण) अधिनियम, 192, डा. डी. एन. रोड, 1970 की धारा 9 बम्बई-400 001 की उपधारा (3) के खण्ड (छ) के अनुसरण में।
2. प्रो. प्रवीण बिसारिया, बैंककारी कम्पनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 4, अभिनव कालोनी, क्रमों का अर्जन एवं अंतरण) अधिनियम, झाड़व इन रोड, 1970 की धारा 9 अहमदाबाद-380 052 को उपधारा (3) के साथ पठित उपधारा (3) के खण्ड (ज) के अनुसरण में।
3. श्री योगेन्द्र प्रेमकृष्णा त्रिवेदी, —तद्वैध— 23, "अटलांटा", नरीमन प्वाइंट, बम्बई-400 021
4. डा. गुरुप्रीत सिंह, —तद्वैध— 20-ए, औरंगजेब रोड, नई दिल्ली-110 001

5. श्री उमेश नाथ कपूर, —तद्वैध— ए-209, डिफेंस कालोनी, मेरठ-250 001

6. सुश्री सांसी राणी नम्बरी, —तद्वैध— V-I, ध्रुवतारा अपार्टमेंट्स, मेडिनोवा कम्पाउंड, मोमजीगुडा, हैदराबाद-500 482

7. श्री लक्कावज्जला सुब्रमण्या —तद्वैध— शर्मा, 401-402, "लोकशिल्प", सेक्टर 17, न्यू बम्बई-400 705

राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 9 के उपबंधों के अनुसार केन्द्रीय सरकार एतद्वारा निदेश देती है कि उपर्युक्त पैरा 1 में उल्लिखित निदेशकों के नामांकन परिणामस्वरूप, निम्नलिखित व्यक्ति तत्काल प्रभाव से देना बैंक के बोर्ड में निदेशक नहीं रहेंगे।

- (1) श्री करसन भाई एन. पटेल
- (2) श्री बी. जी. कालान्तरी

[फा. सं. 9/38/92—बी. ओ.-I]

के. के. मंगल, अवसर सचिव

New Delhi, the 16th May, 1995

S.O. 1514.—In exercise of the powers conferred by sub-section (3) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 read with sub-clause (1) of Clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby nominates the following persons as Directors of Dena Bank for a period of three years commencing on 16th May, 1995.

- (1) Shri S.S. Karnavat, In pursuance of Clause (g) of sub-section (3) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970. 2A, Kitab Mahal, 1st Floor, 192 Dr. D.N. Rd., Bombay-400001.
- (2) Prof. Pravin Visaria, In pursuance of Clause (h) of sub-section (3) read with Sub-section (3A) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970. 4, Abhinav Colony, Drive in Road, Ahmedabad-380052.
- (3) Shri Yogendra Premkrishna Trivedi, -do- 23, "Atlanta", Nariman Point, Bombay-400021.
- (4) Dr. Gurpreet Singh, -do- 20-A, Aurangzeb Road, New Delhi-110011.

- (5) Shri Umesh Nath Kapur, -do-
A-209,
Defence Colony,
Meerut-250001.
- (6) Ms. Jhansi Rani Namboori. -do-
V-I, Dhruvatar Apts,
Medinova Compound,
Somajiguda,
Hyderabad-500482.
- (7) Shri Lakkavajjala -do-
Subrahmanya Sarma,
401-402,
"Lokshilp",
Sector 17,
New Bombay-400705.

2. In accordance with the provisions of Clause 9 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government hereby directs that consequent to nomination of the Directors as mentioned in para 1 above, the following persons shall cease to be Directors on the Board of Dena Bank with immediate effect.

- (1) Shri Karshan Bhai N. Patel
(2) Shri V.G. Kalantri

[F.No. 9/38/92--BO-I]

K. K. MANGAL, Under Secy.

नई दिल्ली, 17 मई, 1995

का. आ. 1515.—भारतीय स्टेट बैंक (अनुपंगी बैंक) अधिनियम, 1959 (1959 का 38) की धारा 25 की उपधारा (1) के खण्ड (ड.) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, एतद्वारा श्री अनूप मिश्रा, निदेशक, वित्त मंत्रालय, आर्थिक कार्य विभाग (बैंकिंग प्रभाग), नई दिल्ली को श्री के. के. मंगल के स्थान पर स्टेट बैंक आफ हैदराबाद के निदेशक के रूप में नामित करती है।

[सं. एफ. 9/9/94-बी. ओ.-1]

एम. एस. सीतारामन, अवर सचिव

New Delhi, the 17th May, 1995

S.O. 1515.—In pursuance of the powers conferred by clause (e) of sub-section (1) of section 25 of the State Bank of India (Subsidiary Banks) Act, 1959 (38 of 1959), the Central Government, hereby nominates Shri Anoop Mishra, Director, Ministry of Finance, Department of Economic Affairs (Banking Division), New Delhi, as a Director of State Bank of Hyderabad vice Shri K. K. Mangal.

[No. F.9/9/94—BO-I]

M. S. SEETHARAMAN, Under Secy.

नई दिल्ली, 19 मई, 1995

का. आ. 1516.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबन्ध) स्कीम, 1980 के खण्ड 3 के उपखण्ड (1), खण्ड 5, खण्ड 6, खण्ड 7 और खण्ड 8 के उप खण्ड (1) के साथ पठित बैंककारी कम्पनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1980 की धारा 9 की उपधारा 3 के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व-बैंक में परामर्श करने के

पश्चात्, एतद्वारा, श्री एस. के. सोनी को दिनांक 16 जुलाई, 1995 से 31 दिसम्बर, 1996 तक की अवधि के लिए ओरियंटल बैंक आफ कामर्स के अध्यक्ष एवं प्रबंध निदेशक के रूप में पुनः नियुक्त करती है।

[सं. एफ. 9/6/95-बी. ओ. 1]

के. के. मंगल, अवर सचिव

New Delhi, the 19th May, 1995

S.O. 1516.—In exercise of the powers conferred by clause (a) of sub-section 3 of section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980, read with sub-clause (1) of clause 3, clause 5, clause 6, clause 7 and sub-clause (1) of clause 8 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1980, the Central Government, after consultation with the Reserve Bank of India, hereby reappoints Sh. S.K. Soni as Chairman & Managing Director, Oriental Bank of Commerce, for the period from 16th July, 1995 and upto 31st December, 1996.

[F.No. 9/6/95—BO.I]

K. K. MANGAL, Under Secy.

उद्योग मंत्रालय

(भारी उद्योग विभाग)

नई दिल्ली, 24 मई, 1995

का. आ. 1517.—केन्द्रीय सरकार, सरकारी स्थान (अप्राधिकृत अधिभोगियों की वेदखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, नीचे दी गई सारणी के स्तंभ (1) में उल्लिखित अधिकारी को, जो सरकार के राजपत्रित अधिकारी की पंक्ति के समतुल्य अधिकारी हैं, उक्त अधिनियम के प्रयोजनों के लिए सम्पदा अधिकारी नियुक्त करती है जो उक्त सारणी के स्तंभ (2) में विनिर्दिष्ट सरकारी स्थानों की बाबत अपनी अधिकारिता की सीमाओं के भीतर उक्त अधिनियम द्वारा या उसके अधीन सम्पदा अधिकारी को प्रदत्त शक्तियों का प्रयोग और उस पर अधिरोपित कर्तव्यों का पालन करेगा।

सारणी

अधिकारी का पदनाम	सरकारी स्थानों का प्रवर्ग और अधिकारिता की स्थानीय सीमाएं
नगर-क्षेत्र अधिकारी, हैदराबाद एकक, हिन्दुस्तान केबिज लिमिटेड, हैदराबाद, आन्ध्र प्रदेश।	आन्ध्र प्रदेश में हैदराबाद स्थित हिन्दुस्तान केबिज लिमिटेड के या उसके द्वारा या उसकी ओर से पट्टे पर लिए स्थान।

[सं. 1(56)/94—पी. ई.-2]

ए. के. महापात्र, संयुक्त सचिव

MINISTRY OF INDUSTRY
(Department of Heavy Industry)
New Delhi, the 24th May, 1995

S. O. 1517.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the Officer mentioned in column (1) of the Table below, being Office equivalent to the rank of Gazetted Officer of Government to, be Estate Officer for the purpose of the said Act, who shall exercise the powers conferred and perform the duties imposed on the Estate Officer by or under the said Act, within the limits of his jurisdiction in respect of the public Premises specified in column (2) of the said Table.

THE TABLE

Designation of the Officer	Categories of Public premises and local limits of jurisdiction
Township Officer Hyderabad Unit, Hindustan Cables Ltd., Hyderabad, Andhra Pradesh.	Premises belonging to or taken on lease by or on benefit of the Hindustan Cables Limited at Hyderabad in Andhra Pradesh.

[No. 1(5)/94--PE.II]

A.K. MOHAPATRA, Jt Secy.

नागरिक पूर्ति, उपभोक्ता मामले और सार्वजनिक वितरण
मंत्रालय

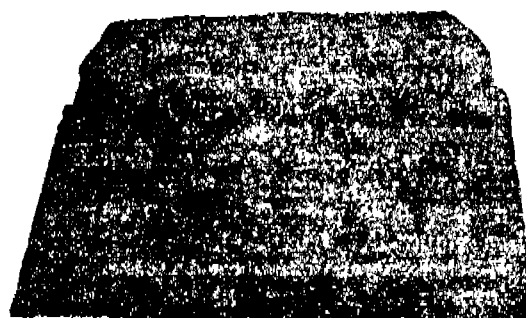
नई दिल्ली, 19 मई, 1995

का. आ. 1518.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत की गई रिपोर्ट पर विचार करने के पश्चात्, समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडल का अनुमोदन) नियम, 1987 के उपबंधों के अनुकूल है और इस बात की संभावना है कि वह उक्त माडल लगातार प्रयोग की अवधि में यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयोग सेवा देना रहेगा ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सैन सन बांड नाम वाले एस एस पी सीरीज टाइप के स्वतः सूचक गैर-स्वचालित तोलन उपकरण के माडल को (जिसे इसमें इसके पश्चात् माडल कहा गया है) जिसका विनिर्माण मर्सर्स सैनसन इंजेक्शनिकस 89 भवानी पेठ, दूसरा तल, घसेटी पुल, पुणे 42 द्वारा किया गया है और जिसे अनुमोदन चिह्न आई. एन. डी. /09/94/29 सन्मन्देशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करते हैं ;

आगे, केन्द्रीय सरकार, उक्त धारा की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि माडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त के अनुसार और उसी सामग्री

से, जिससे अनुमोदित माडल का विनिर्माण किया गया है विनिर्मित 1 कि.ग्रा., 2 कि.ग्रा., 5 कि.ग्रा., 6 कि.ग्रा., 15 कि.ग्रा., 20 कि.ग्रा., 30 कि.ग्रा., और 50 कि.ग्रा. की अधिकतम क्षमता वाले समान मेक, यथार्थता और उसी सिरीज के कार्यकरण वाले तोलन उपकरण भी हैं ।



आकृति

माडल (आकृति देखिए) एक मध्यम यथार्थता (यथार्थता वर्ग 3) का तोलन उपकरण है जिसकी अधिकतम क्षमता 10 किलोग्राम और प्रयुक्ततम क्षमता 20 ग्राम है । सत्यापन

मापमान अन्तर (ई) 1 ग्राम है। इसमें एक टेयर युक्ति है जिसका व्यकलनात्मक प्रतिधारण टेयर प्रभाव 100 प्रतिशत है। संतुलन स्थल मृदु इस्पात शीट का बना है। भारग्राही स्टेनलेस स्टील का बना है और जिसकी विभा 230 मि.मी. × 290 मि.मी. है। 13 मि.मी. का संप्रतीक आकार सात खंडीय प्रतिदीप्तिशील संप्रदर्श तौल परिणाम उपदर्शित करता है। ————— यह उपकरण 230 बोल्ट, 50 हर्टज के प्रत्यावर्ती धारा विद्युत प्रदाय पर प्रचालित होता है।

[फा. सं. डब्ल्यू. एम-21(12)/93]

सुजीत बनर्जी, संयुक्त सचिव

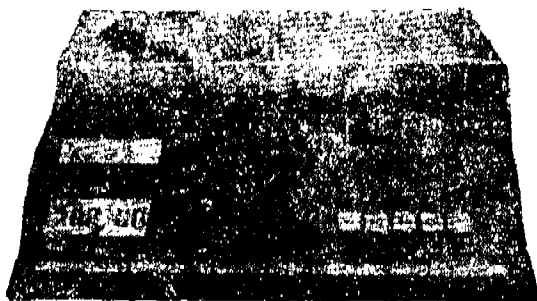
MINISTRY OF CIVIL SUPPLIES, CONSUMER AFFAIRS
AND PUBLIC DISTRIBUTION

New Delhi, the 19th May, 1995

S.O. 1518.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of Model of self indicating non-automatic weighing instrument of brand name "Sansun", type SSP series (herein after referred to as the Model) manufactured by M/s Sansun Electronics, 89, Bhavani Peth, 2nd floor, Ghaseti Pool, Pune-42 and which is assigned the approval mark IND/09/94/29.

Further, in exercise of the powers conferred by sub-section (12) of the said section, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity of 1 kilogram, 2 kilogram, 5 kilogram, 6 kilogram, 15 kilogram, 20 kilogram, 30 kilogram and 50 kilogram manufactured by the same manufacturer in accordance with the same principle and with the same materials with which, the approved Model has been manufactured.



The Model (see figure) is a medium accuracy (accuracy class III) weighing instrument with a maximum capacity of 10 kilogram and minimum capacity of 20 gram. The verification scale interval (e) is 1 gram. It has a tare device with a 100 percent subtractive retained tare effect. The housing of the balance is made of mild steel sheets. The load receptor is made of stainless steel and of shape with dimensions 230mm x 290mm. The seven segment fluorescent display of character size 13 millimetre indicates the weighing result. The instrument operates on 230 volts, 50 hertz, alternate current power supply.

[F. No. WM-21 (12)/93]

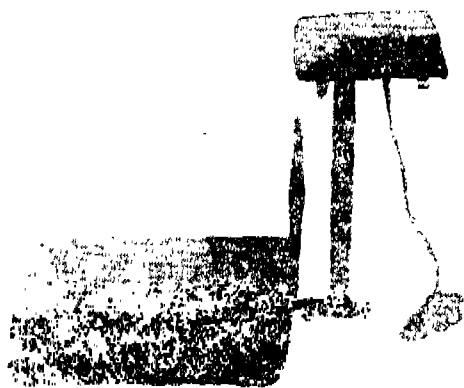
SUJIT BANERJEE, Jr. Secy.

नई दिल्ली, 19 मई, 1995

का.आ.1519:—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत की गई रिपोर्ट पर विचार करने के पश्चात्, समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडल का अनुमोदन) नियम, 1987 के उपबन्धों के अनुरूप है और इस बात की संभावना है कि उक्त माडल लगातार प्रयोग की अवधि में यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा देता रहेगा,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, "सन सुन" ब्रांड नाम वाले एस पी.पी. सीरीज टाइप के स्वतः सूचक गैर-स्वचालित तौलन उपकरण के माडल की (जिसे इसमें इसके पश्चात् माडल कह, गया है) जिसका विनिर्माण संसंस मनसुन इलेक्ट्रॉनिक्स 89 भवाना पेट, दूसरा तल, घसेटी पुल, पुणे-42 द्वारा किया गया है और जिसे अनुमोदन चिह्न आई.एन.डी./09/94/30 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है.

आगे, केन्द्रीय सरकार, उक्त धारा की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, यह घोषणा करती है कि माडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत के अनुसार और उसी सामग्री से, जिससे अनुमोदित माडल का विनिर्माण किया गया है विनिर्मित 100 कि.ग्रा., 150 कि.ग्रा., 200 कि. ग्रा., 300 कि. ग्रा., 500 कि.ग्रा. और 1000 कि.ग्रा की अधिकतम क्षमता वाले समस्त मेक, यथार्थता और उसी सिरीज के कार्यकरण वाले तौलन उपकरण भरे हैं।



मॉडल (आकृति देखिए) एक मध्यम यथार्थता (यथार्थता वर्ग 3) का तोकन उपकरण है जिसकी अधिकतम क्षमता 60 किलोग्राम और न्यूनतम क्षमता 200 ग्राम है। सत्यापन मापमान अन्तर (ई) 10 ग्राम है। इसमें एक टेयर युक्ति है जिसका व्यकलनात्मक प्रतिधारण टेयर प्रभाव 100 प्रतिशत है। उपकरण की बाड़ी मृदु इस्पात शीट की बनी है। भारग्राही प्लेटफार्म 500 × 450 कि.मी. आकार का बना है। 13 मि. मी. का सप्रतीक आकार सात खंडीय प्रतिदीप्ति संप्रदर्श तोल परिणाम उपदिशित करता है। यह उपकरण 230 वोल्ट, 50 हर्टज के प्रत्यावर्ती धारा विद्युत प्रदाय पर प्रचालित होता है।

[फा.सं. डब्ल्यू. एम-21/12/93]
मुजीत बनर्जी, सयुक्त सचिव

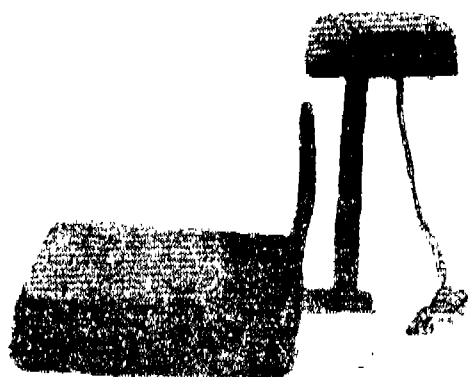
New Delhi, the 19th May, 1995

S.O. 1519.....Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (63 of 1976) and

the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of Model of self-indicating non-automatic platform weighing instrument of brand name "Sansun" type SPP series (herein after referred to as the Model) manufactured by M/s Sansun Electronics 89 Bhavani Peth 2nd floor Ghaseti Pool Pune-42 and which is assigned the approval mark IND/09/94/30.

Further in exercise of the powers conferred by sub-section (12) of the said section, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity of 100 kilogram, 150 kilogram, 200 kilogram, 300 kilogram, 500 kilogram and 1000 kilogram, manufactured by the same manufacturer in accordance with the same principle and with the same materials with which, the approved Model has been manufactured.



The Model (see figure) is a medium accuracy (accuracy class III) platform weighing instrument with a maximum capacity of 60 kilogram and minimum capacity of 200 gram. The verification scale interval (e) is 10 gram. It has a tare device with a 100 percent subtractive retained tare effect. The body of the instrument is made of mild steel sheets. The load receptor is a platform of size 500mm x 450mm. The seven segment fluorescent display of character size 13 millimetre indicates the weighing result. The instrument operates on 230 volts, 50 hertz, alternate current power supply.

[F. No. WM-21 (12)/93]

SUJIT BANERJEE, Jr. Secy.

मानव संसाधन विकास मंत्रालय

(युवा कार्यक्रम और खेल विभाग)

नई दिल्ली, 5 अप्रैल, 1995

का.आ.1520:—चूंकि राष्ट्रीय "खिलाड़ी कल्याण कोष, नई दिल्ली" की साधारण समिति ने तत्कालीन शिक्षा और संस्कृति मंत्रालय (शिक्षा विभाग) भारत सरकार की अधिसूचना सं. एस.ओ. 166 (ई) दिनांक 22 मार्च, 1982 की शर्तों में निर्धारित योजना में संशोधन करने के लिए धर्मार्थ निधि अधिनियम 1890 (1890 का 6) के अंतर्गत आवेदन किया है।

अतः अब तक अधिनियम के खण्ड 5 के उपखण्ड (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उपरोक्त साधारण समिति की सहमति से एतद्वारा समय-समय पर संशोधित राष्ट्रीय खिलाड़ी कल्याण कोष के नियमों में और आगे निम्न संशोधन रक्ती है:—

(क) योजना के भाग-1 के पैरा 2(घ) / "प्रतिमाह 1000/- रुपये से कम आय" शब्दों के स्थान पर "प्रतिमाह 2000/- रुपये से कम आय" शब्दों को रखा जाए।

[सि सं 13-34/94-जेन-4]

आशा स्वरूप, संयुक्त सचिव

MINISTRY OF HUMAN RESOURCE DEVELOPMENT

(Department of Youth Affairs and Sports)

New Delhi, the 5th April, 1995

S.O. 1520.—Whereas the General Committee for "National Welfare Fund for Sports person, New Delhi" has made an application under the Charitable Endowments Act 1890 (6 of 1890) for the modification of the Scheme settled in terms of the notification of the Government of India in the erstwhile Ministry of Education and Culture (Dept. of Education) No. S.O. 166 (E) dated the 22nd March, 1982.

Now, therefore, in exercise of the powers conferred by subsection (2) of Section 5 of the said Act, the Central Government, with the concurrence of the aforesaid General Committee, hereby makes the following further amendments in the Rules of the National Welfare Fund for Sports persons Scheme as amended from time to time namely:—

In the said Scheme:—

(a) In para 2(d) of Part-I of the scheme for the words "income of less than Rs. 1000/- per month" the words "Income of less than Rs. 2000/- per month" shall be substituted.

[F. No. 13-34/94-SP. IV]
ASHA SWARUP, Jr. Secy.

पेट्रोलियम एवं प्राकृतिक गैस मंत्रालय

नई, दिल्ली, 18 मई, 1995

का.आ. 1521:—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि उत्तर प्रदेश राज्य में पेट्रोलियम एवं प्राकृतिक गैस लाने के लिए एच. बी. जे. अप-ग्रेडेशन गैस पाइप लाइन डाली जाये और यह पाइप लाइन गैस अथॉरिटी ऑफ इण्डिया द्वारा विद्युतित किया जाये।

और यह भी अनुभव करती है कि उस कार्य के लिए इसके साथ संलग्न विवरणी में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाइप लाइन (भूमि पर प्रयोक्ता का अधिकार ग्रहण अधिनियम, 1962 (1962 का 50) के खण्ड-3 के उपखण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उस पर प्रयोक्ता अधिकार ग्रहण करने की मंशा की घोषणा करती है।

जबकि उक्त भूमि में अपनी हवि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाइप लाइन बिछाने के विरोध में अपनी आपत्ति सक्षम प्राधिकारी, गैस अथॉरिटी ऑफ इण्डिया लि. एच.बी.जे. अप-ग्रेडेशन गैस पाइप लाइन प्रोजेक्ट पी.डी.आई.एल. बिल्डिंग, ए-14, सेक्टर-1, नौएडा गाजियाबाद (उ.प्र.) में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराते समय किसी व्यक्ति को यह विशेष रूप से निर्दिष्ट करना होगा कि वह व्यक्तिगत रूप से अथवा विधि व्यवसायक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

(अनुसूचक) गैस-अनुसूची
एच.बी.जे.अपग्रेडेशन पाइप लाइन प्रोजेक्ट

जिला	तहसील	परगना	मीणा	गाटा संख्या	अर्जित क्षेत्र. बीघा/एकड़/हेक्टे.	अन्य विवरण
1	2	3	4	5	6	7
मथुरा	मथुरा	मथुरा	लालपुर	896	0.0300 हेक्टेअर	

[सं. एल-14016/5/94-जी.पी.]

अर्धेन्दु सेन, निदेशक

MINISTRY OF PETROLEUM & NATURAL GAS
New Delhi the 18th May, 1995

S.O...1521—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum & Natural Gas of H.B.J. Up-Gradation Gas Pipe line in Uttar Pradesh State. Pipeline should be laid by the Gas Authority of India Ltd.

AND WHEREAS it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and

Mineral Pipelines (Acquisition of Right of User in the Land) Act 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

PROVIDED THAT any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., H.B.J. Up. gradation, Pipeline Project, P.D.I.L. Building, 'A-14, Sector-I, Noida Ghaziabad, U.P.

AND every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner..

(SUP.) CASE SCHEDULE
H.B.J. Upgradation Pipe Line Project

District	Tehsil	Pargana	Village	Plot No.	Acquired Area in Bigha/ Acres	Remarks
1	2	3	4	5	6	7
Mathura	Mathura	Mathura	Lal Pur	896	0.0300	Hectare

[No. L-14016/5/94-G.P.]
ARDHENDU SEN, Director

नई दिल्ली, 19 मई, 1995

क.आ. 1522.—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि उत्तर प्रदेश राज्य में पेट्रोलियम एवं प्राकृतिक गैस लाने के लिए एच.बी.जे. अप-ग्रेडेशन गैस पाइप लाइन डाली जाये और यह पाइप लाइन गैस प्रायॉरिटी ऑफ इण्डिया द्वारा बिछाया जाना है।

और यह भी अनुभव करती है कि उस कार्य के लिए इसके साथ संलग्न विवरणों में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाइप लाइन (भूमि पर प्रयोक्ता का अधिकार ग्रहण) अधिनियम, 1962 (1962 का 50) के खण्ड-3 के उपखण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की मंशा की घोषणा करती है।

बशर्ते कि उक्त भूमि में अपनी हवि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाइप लाइन बिछाने के विरोध में अपनी प्राप्ति सभन प्राधिकारी, गैस अथॉरिटी ऑफ इण्डिया लि. एच.बी.जे. अक्वग्रेडेशन गैस पाइप लाइन प्रोजेक्ट पी.डी.आई.एल. बिल्डिंग, ए-14 सेक्टर-1, नौएडा, गाजियाबाद (उ.प्र.) में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराते समय किसी भी व्यक्ति को यह विशेष रूप में निर्विण्ट करना होगा कि वह व्यक्तिगत रूप से अथवा विश्वि व्यवसायक के माध्यम से अपना मन प्रस्तुत करना चाहता है।

अनुपूरक

वाद-अनुसूची

एच.बी.जे. अक्वग्रेडेशन पाइप लाइन प्रोजेक्ट

जिला	तहसील	परगना	मौजा	शाला संख्या	अर्जित क्षेत्र. वीघा/एकड़/हिक्टा.
1	2	3	4	5	6
शाहजहांपुर	शाहजहांपुर	जमौर	पिपरोला अहमदपुर	214	0.0500

[सं.एन-14016/13/95-जी.पी.]

अर्धेन्दु सेन, निदेशक

New Delhi, the 19th May 1995

S. O.1 522.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum & Natural Gas of H.B.J. Up-Gradation Gas Pipe Line in Uttar Pradesh State. Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land prescribed in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum and

Mineral Pipelines (Acquisition of Right of User in the Land) Act 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., H.B.J. Up-gradation, Pipeline Project, P.D.I.L. Building, A-14, Sector-I Noida, Ghaziabad, U.P.

AND every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SUP. CASE SCHEDULE H.B.J. Upgradation Pipe Line Project

District	Tehsil	Pargana	Village	Plot No.	Acquired Area in Acres	Remarks
1	2	3	4	5	6	7
Shahjahanpur	Shahajahanpur	Jamour	Piprola Ahmadpur	21	0.0500 Hec.	

[No. L-14016/13/94—G.P.]
ARDHENDU SEN, Director

नई दिल्ली, 23 मई, 1995

का.आ. 1623.—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि पेट्रोलियम पदार्थ एवं प्राकृतिक गैस लाने के लिये पतनगुडी न 2 से सुमगला स्टीलस लिमिटेड गैस पाइप प्रोजेक्ट तक पाइप लाइन परियोजना के अन्तर्गत पाइप लाइन गैस अथॉरिटी ऑफ इण्डिया लिमिटेड द्वारा बिछाया जाना है।

और यह भी अनुभव करती है कि उस कार्य के लिये उसके साथ संलग्न विवरणी में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एंड खनिज पाइप लाइन (भूमि पर प्रयोक्ता का अधिकार ग्रहण) अधिनियम, 1962 (1962 का 50) के खण्ड 3 के उपखण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उक्त पर प्रयोक्ता का अधिकार ग्रहण करने की मंशा की घोषणा करती है।

बशर्ते कि उक्त भूमि में अपनी रुचि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाइप लाइन बिछाने के विरोध में अपनी आपत्ति मन्त्र प्राधिकारी गैस अथॉरिटी ऑफ इण्डिया लिमिटेड कावेरी बेसिन, नीला मेलवडम पोक्कि सड़क, नागपट्टिणम तारी कारिनेमिल्लत जिला तमिलनाडु 611001 दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज करते समय किसी भी व्यक्ति को विशेष रूप में निर्दिष्ट करना होगा कि वह व्यवितगत रूप से अथवा व्यवसायिक के माध्यम से अपना मत करना चाहता है।

अनुसूची

बुवनगिरि वेल नं: 2 से मुमंगला स्टीनश बुवनगिरि तक

जनपद	तहसील	तानुका	ग्राम नं. और नाम	सर्वे नं	क्षेत्रफल	
					हेक्टेर में	एकड़ में
1	2	3	4	5	6	7
तमिलनाडु	सौत आरकाड वल्लार जिला	चित्तम्बरम	अ.वी. आतधिरणनातम	133/2ए	0.09.0	0.22
				135/3ए	0.02.0	0.05
				135/3बी	0.00.5	0.01
				140/1	0.01.0	0.02
				140/2	0.17.0	0.42
				153/3बी	0.03.0	0.08

[नं.एन-14016/1/95-जी.पी.]

अर्धेन्दु सेन, निदेशक

New Delhi, the 23rd May, 1995

S.O. 1523.-Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum Gas from Narimanam GCS to MRI, Panangudy Pipeline in Pondicherry State should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by Sub-Section(1) of the Section 3 of the Petroleum and Minerals

pipeline (Acquisition of Right of user in the land) Act, 1962 the Central Government hereby declares its intention to require the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., Cauvery Project, Nagapattinam, Pin-611001.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Bhuvanagiri Well No. 2 to M/S. Sumangala Steel, Bhuvanagiri

State	District	Taluk	Village	Survey Number	Extent		Remarks
					In Hectates	In Acre cent	
Tamil Nadu	South Arcot Vallalar	Chidambaram	37, B. Adhivaraga-Nathan	133/2A	0.09.0	0.22	
				135/3A	0.02.0	0.05	
				135/3B	0.00.5	0.01	
				140/1	0.01.0	0.02	
				140/2	0.17.0	0.42	
				153/3B	0.03.0	0.08	

[No. L—14016/1/95—G.P.]
ARDHENDU SEN, Director

विद्युत मंत्रालय

नई दिल्ली, 9 मई, 1995

का. आ. 1524.—केन्द्रीय सरकार भारतीय बिजली अधिनियम 1910 की धारा (36 की उपधारा 1) के अनुसरण में राजपत्र अधिसूचना संख्या 25/1/90 डी (एस. ई. बी.) (एस. ओ. संख्या 3106) दिनांक 15-4-1994 में अधिसूचित केन्द्रीय सरकार और संघ राज्य क्षेत्र से संबंधित अथवा नियंत्रणाधीन अधिष्ठापना के बारे में श्री बी. एस. रेड्डी के स्थान पर श्री बी. के. चोपड़ा, मुख्य इंजीनियर (इन्सपेक्टर) केन्द्रीय विद्युत प्राधिकरण को विद्युत निरीक्षक के रूप में नामित करती है।

[सं. 25/1/90 डी (एस ई बी)]
बी. के. शर्मा, उप सचिव

MINISTRY OF POWER

New Delhi, the 9th May, 1995

S.O.1524.—In pursuance of Sub-section 1 of the Section 36 of the Indian Electricity Act, 1910, the Central Government hereby nominates Shri B.K. Chopra, Chief Engineer (Inspectorate), Central Electricity Authority as Electrical Inspector in respect of installations belonging to or under the control of the Central Government and Union Territories as notified in the Gazette Notification No. 25/1/90-D (SEB) (S.O. No. 3106) dated 15-4-1994 vice B.M. Reddy.

[No. 25/1/90-D(SEB)]
V.K. SHARMA, Under Secy.

श्रम मंत्रालय

नई दिल्ली, 24 अप्रैल, 1995

का. आ. 1525.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार गन केरिज फैक्ट्री के प्रबन्धतंत्र के संबद्ध नियोजको और उनके कर्मकारों के बीच अनुबन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण

जबलपुर के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 10 अप्रैल 1995 को प्राप्त हुआ था।

[सं. एस 14012/28/92 आई आर (डी.यू.)]
के. बी. बी. उन्नी, डेस्क अधिकारी

MINISTRY OF LABOUR

New Delhi, the 24th April, 1995

S.O.1525.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Jabalpur as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of Gun Carriage Factory and their workmen, which was received by the Central Government on 10-4-95.

[No. L—14012/28/92/IR(DU)]

K. V. B. UNNY, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, JABALPUR (MP)

CASE REF. No. CGIT/LC(R) (251)/1993

BETWEEN

Shri Ramshir, Ex-T.No. F-5/175/59476, Chandmari, Talaiya
Near Khermai Mandir, Lalmati, Post Kasturba Nagar,
Jabalpur (MP).

AND

The General Manager, Ordnance Factory Khamaria,
Jabalpur (M.P.).

Presided in: By Shri Arvind Kumar Awasthy.

APPEARANCES:

For Workman: Shri R.N. Shukla, Advocate.

For Management: Shri B. Da'Silva, Advocate.

Industry: Ordnance Factory District : Jabalpur (MP)

AWARD

Date : March 31, 1995.

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. L-14012/28/92-IR (DU) Dated 15-12-1993, for adjudication of the following industrial dispute:—

THE SCHEDULE

“क्या प्रबंधतंत्र गम्राडेनेन्स फैक्ट्री, खमरिया, जबलपुर (म.प्र.) के प्रबंधकों द्वारा श्री श्री रामशिर, एक्सटि. नं. एफ-175/59476 की सेवाएं दिनांकित 27-5-92 से समाप्त किये जाने की कार्यवाही न्यायोचित है, यदि नहीं तो संबंधित कर्मकार किस अनुतोष का हकदार है?”

2. Admitted facts of the case are that Shri Ramshir, the workman concerned was an industrial employee holding the post of DB Worker (Semi-skilled) in F-5 section of Ordnance Factory Khamaria, Jabalpur; that the workman was dismissed from service with effect from 15-12-1993 after he was found guilty of the charges levelled against him in the domestic enquiry.

3. The case of the management is that Shri Ramshir while working in F-5 Section on 23-5-91 started quarrelling with the forman and abused him and tried to assault him; that the workman was placed under suspension and the charge-sheet was issued against him for the following misconduct:—

1. Missing from the place of duty.
2. Misbehaviour and using unparliamentary language towards superior staff inside the factory during working hours.
3. Attempted to manhandle the senior staff inside the factory during working hours.
4. Habitual offender of insolvent and disorderly behaviour.
5. Conduct unbecoming of a Government servant.

4. The charges were admitted during the domestic enquiry and the punishment of dismissal was imposed on him by the Disciplinary Authority.

5. The case of the workman is that the false and baseless allegations were levelled against him and that the workman was depressed due to the death of his mother on account of long illness; that the workman wanted to avoid proceeding of the departmental enquiry and tendered apology on the assurance that he will be taken back in service; that the workman is an Ex-service man and the management without recording evidence in the domestic enquiry illegally concluded that the charges against the workman are proved and the punishment grossly disproportionate to the misconduct was passed. The workman has prayed for reinstatement with full back wages.

6. Following are the issues in the case:—

ISSUES

1. Whether the enquiry is just, proper and legal ?
2. Whether the management is entitled to lead evidence before this Tribunal?
3. Whether the charges of misconduct are proved on the facts of the case?

4. Whether the punishment awarded is proper and legal?

5. Relief and costs.

7. Issue No. 1 & 2: Specific and clear charges were framed against the workman and the workman after receiving the copy of the charge has clearly admitted the allegations in the charge-sheet. The workman has challenged only the quantum of punishment and he has prayed for reinstatement without back wages. In the aforesaid circumstance, I do not find any unfairness and impropriety in the domestic enquiry. Issue No. 1 is answered in affirmative and Issue No. 2 is answered in negative.

8. Issue No. 3 & 4: Following is the text of the letters given by the workman on 3-3-92 and 17-3-92 in reply to the management's letter dated 21-10-91:—

पत्र क्रमांक नं. 1125/भी.आई.जो/389 एम.एफ.के दिनांक 21-10-91

सविनय निवेदन यह है कि प्रार्थी की मां का स्वर्गवास हो गया था इस कारण मानसिक संतुलन ठीक नहीं था। इसलिये प्रार्थी से जो गलती हुई है उसके लिये क्षमा चाहता हूं।

अतः आपसे चरण छूकर प्रार्थना है कि प्रार्थी का संस्पेंशन समाप्त कर नौकरी पर लेने की दया करें। मैं आपका जीवन पर्यन्त आभारी रहूंगा।

दिनांक : 2-2-92

प्रार्थी : रामशिर

पत्र क्रमांक 1125/विज/389 दिनांक 21-10-91 का जवाब

सविनय निवेदन यह है कि मेरी मां जी का स्वर्गवास हो गया था। दिनांक 25-2-92 को प्रार्थी महुप्रबंधक महोदय से मिली। श्रीमान जी से मैं निवेदन किया कि क मेरे ऊपर जो आरोप लगाये गये हैं उन्हें मैं स्वीकारने करता हूं और कोई गम्राकड़कवापरी नहीं चाहता। श्रीमान जी। आश्वासन दिया आपका संस्पेंशन लिफ्ट कर दिया जायेगा।

अतः श्रीमान जी से चरण छूकर प्रार्थना है कि मेरे बच्चों का ध्यान रखकर संस्पेंशन समाप्त कर नौकरी पर लेने की दया करें। तथा प्रार्थी यह आश्वासन देता है कि भविष्य में दोबारा गलती नहीं करेगा। प्रार्थी आपका जीवन पर्यन्त आभारी रहेगा।

दिनांक : 17-3-92

प्रार्थी : रामशिर

9. From the perusal of these letters, it is clear that on account of the death of the mother of the workman, it is alleged by the workman that he was mentally disturbed and he wants to admit the allegations levelled in the charges framed against him and prays to be taken back in service. In view of the aforesaid letters, it was incumbent on the management to record evidence of the witnesses to ascertain the gravity of the charges. The workman is an Ex-service man. The opportunity to the workman to show that in what circumstances the alleged act of misbehaviour was done was not provided by the management. To assess the gravity of the incident of threatenings and abusing, it is necessary to look into the moto and the surrounding circumstances and it can be done appropriately only after recording the evidence of witnesses and giving opportunity to the delinquent to cross-examine the witnesses and to produce the defence witnesses.

10. In imposing punishment on an erring employee a enlightened approach, informed by the call of the situation, philosophy and spirit of the times, requires to be made. It cannot be a matter of the ipse dixit of the disciplinary autho-

ality depending on his whim or caprice. The approach to be made is the approach parents make towards an erring or misguided child. It is not expedient to visit every employee against whom a fault is established with the penalty of dismissal and to get rid of him. The penalty has to be commensurate to the magnitude of the fault.

11. Learned Counsel for the workman has relied on two citations Ramakant Mishra Vs. State of U.P. AIR 1982 (SC) 1552 and Ved Prakash Vs. M/s Delton Cable India (AIR 1984 SC 914) to substantiate his arguments that where the punishment is disproportionate and excessive by the management, the Court should set aside the punishment of dismissal order as the dismissal amounts to victimisation and unfair labour practice. In case of AIR 1982 SC p 1552, the delinquent was charged with similar misconduct and it was observed by the Hon'ble Supreme Court that the dismissal was not justified. Similarly, in case of AIR 1984 SC p. 914, it was observed, to impose the extreme penalty of dismissal from service to the delinquent for abusing and committing some minor acts is uncalled for.

12. To impose the extreme penalty of dismissal from service there should be clear evidence of the gross misconduct. The workman is an Ex-service man and as the justice should be tempered with mercy and it is necessary that for such misconduct he should not be deprived of his livelihood and his family should not be allowed to suffer to vagrancy and that an opportunity should be given to correct and improve himself.

13. The workman has clearly stated that in case reinstatement is awarded he will not claim back wages and make improvement in his behaviour. The prayer for back wages depends on the fact whether the workman was not in employment during the period of termination from service. However, the facts that the workman admitted the charges during the domestic enquiry and he has further left back wages and that the mother of the workman expired during the alleged misconduct, are all need sympathetic consideration in favour of the workman while considering the quantum of punishment.

14. In the aforesaid back drop, I am of considered opinion that the punishment awarded to the workman was not just and proper in the aforesaid circumstances and it was grossly disproportionate to the facts of the misconduct proved against the workman.

15. Consequently, it is held that the dismissal of Shri Ramshir workman concerned from service was not justified and the workman, Shri Ramshir, is entitled for reinstatement in service from the date of publication of the award. The workman will not be entitled for any other relief, whatsoever. Parties to bear their own costs.

ARVIND KUMAR AWASTHY, Presiding Officer

नई दिल्ली, 24 अप्रैल, 1995

का. आ. 1526—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार गन कैरिज फैक्ट्री के प्रबन्धपत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार का 10 अप्रैल 1995 को प्राप्त हुआ था।

[नं. एन 14012/88/90/आई आर डो यू.]

के. बी. बी. उन्नी, डैस्क अधिकारी

New Delhi, the 24 April, 1995

S.O.1526.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the award of the Central Government Industrial Tribunal Jabalpur as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of Gun carriage factory and their workmen which was received by the Central Government on 10-4-95

[No. L-14012/88/90-IR(DV)]
K.V.B. UNNY, Desk Officer

ANNEXURE.

IN THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL -CUM-LABOUR COURT, JABALPUR (MP)
CASE REF. NO. CGIT/LC(R)(40)/1991

BETWEEN

Shri Laxmi Prasad, Messenger Boy, House No. 1703,
Kanchghar, Jhanda Chowk, Jabalpur (MP).

AND

The General Manager, Gun Carriage Factory, Jabalpur
(MP).

PRESIDED IN : By Shri Arvind Kumar Awasthy.

APPEARANCES:

For Workman : Shri A.K. Shasi, Advocate.

For Management : Shri B. Da'Silva, Advocate.

INDUSTRY : Gun Carriage Factory DISTRICT: Jabalpur
(MP).

AWARD

DATED: MARCH 31 1995

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. L-14012/88/90-IR(DU) Dated 12th March, 1991, for adjudication of the following industrial dispute:—

SCHEDULE

"Whether the action of Gun Carriage Factory, Jabalpur (M.P.) in terminating the services of Shri Lakshmi Prasad Messenger Boy, Ex. T. No. 2493/NIE, w.e.f. 11-1-86 is justified? If not, what relief he is entitled to and from what date?"

2. Admitted facts of the case are that the workman, Shri Laxmi Prasad, was appointed as a Messenger Boy in the Gun Carriage Factory, Jabalpur, by the order dated 25-5-1993 of the General Manager, Gun Carriage Factory, That he was appointed on probation for two years. It is not in dispute that the workman, Laxmi Prasad, continued to be in service in the year 1983, 1984 and 1985 and his services were terminated vide order dated 11-1-86 by the General Manager, Gun Carriage Factory. This fact is admitted by the management; that father of the workman, late Kunji Lal, was an employee of the Gun Carriage Factory, Jabalpur and after the death of Kunji Lal the workman, Laxmi Prasad, was appointed on compassionate ground as a Messenger.

3. The case of the workman is that his services were terminated on the ground of misconduct of being absent without leave; that the Mother of the workman, Smt. Narbad Bai, was a Cancer patient from 1984 and the workman was required to look after his ailing mother; that the management has removed the workman from service without holding enquiry or without giving him opportunity to show the reason of his absence from the duty. It is further alleged by the workman that in case the termination of his service amounts to retrenchment then it is void ab initio as the termination was without notice or retrenchment compensation. The workman has

prayed for the declaration that the termination of his service was illegal and that the workman is entitled for reinstatement with full back wages and consequential reliefs thereof.

4. Reply of the management is that the performance of the workman who was appointed on probation for two years was not satisfactory and he used to remain absent regularly and in spite of the communication to him to improve his performance and attendance, the workman failed to show good performance and as such his services were terminated with effect from 11-1-86. Management has alleged that no charge-sheet is required in case of termination of an employee on probation; that the order of appointment include a clause that during the period of probation the service of the workman will be terminated without notice or without assigning any reason. Management has alleged in spite of providing full opportunity to the workman to improve this performance, the workman failed to show any improvement and his services were terminated as per terms of contract. The workman is not entitled for any relief whatsoever.

5. The workman has alleged in the rejoinder that mainly because the workman worked on probation management will not get a free hand to terminate his service and the allegation of irregular attendance being misconduct, the services of the workman could not come to an end without holding the domestic enquiry.

6. Terms of reference were made the issue in the case.

7. Management and the workman was directed to lead evidence but the management has not led any documentary or oral evidence and on the other hand the affidavit and documents filed by the workman to show that the mother of the workman was suffering from Cancer, was not challenged in the cross-examination.

8. From the perusal of the written statement filed by the management, it is clear that the workman was removed due to the irregular attendance during his period of service 1983, 1984 and 1985. From the uncontroverted affidavit, filed by the workman and the certificate of the Cancer Hospital and related documents, it is further clear that the mother of the workman was suffering from Cancer and she was getting radiation therapy treatment in the years of the employment of the workman i.e. 1983, 1984 and 1985. Admittedly, workman got the employment due to the death of his father on compassionate ground. In this back drop the termination of the services of the workman without providing him opportunity to show cause for irregular attendance was unjust and improper.

9. It is held in case of State of U.P. Vs. Ramchandra Trivedi AIR 1996 SCp. 2547 that if the termination of service of a probationer does not cast any stigma on him nor does visit with evil consequences then he may be removed from service without any reason.

10. In case of Utkal Machinery Ltd. Vs. Shanti Pattnaik (Miss)—1966-I-LJ p. 398 (SC) and Management of Brooke Bond India (P) Ltd. Vs. Y.K. Gautam, 1973-II-IJ-p. 454 SC it is held that despite the provision in the contract of employment to the effect that during the period of probation an employer has the right to terminate the services of the probationer without any notice and without assigning any reason it would be open to the industrial adjudicator to consider whether the order of termination is mala fide or whether amounts to victimization or unfair labour practice.

11. Management has not led any evidence to prove the grounds of termination of the service of the workman during the period of probation nor the management has proved that

the opportunity for improvement of performance was granted to the workman. The written statement filed by the management shows that irregular attendance was one of the clause of termination of services which is a misconduct insinuation on the workman. Consequently the termination of the workman without enquiry was uncalled for. Management has terminated the service of the workman without enquiry levelling the charge of misconduct against the workman. The act of the management is unjust and improper. Assuming that the termination of the service of the workman was without making the allegation against him, even then it was duty of the management to satisfy the Tribunal that the workman was removed on account of his poor performance and the sufficient opportunity to the workman was granted to improve his work. To terminate the service of a workman who has worked for such a long period of three years without sufficient opportunity to improve the performance given by the management is not just and proper.

12. In imposing punishment on an erring employee an enlightened approach, informed by the call of the situation philosophy and spirit of the times, requires to be made. It cannot be a matter of the ipse dixit of the disciplinary authority depending on his whim or caprice. The approach to be made is the approach parents make towards an erring or misguided child. It is not expedient to visit every employee against whom a fault is established with the penalty of dismissal and to get rid of him. The penalty has to be commensurate to the magnitude of the fault.

13. From the aforesaid discussions, it is clear that the termination of the services of the workman is bad in law on two grounds, firstly, because the management has failed to lead evidence and prove that sufficient opportunity to show improvement in performance was given to the workman during the period of probation and secondly, because the termination of service being on ground of misconduct was without giving an opportunity to the workman to show that this mother was suffering from Cancer.

14. The workman and his Counsel have stated that the workman will not claim back wages in case the order of reinstatement is passed. Without going into the merit of the claim of back wages, it is suffice to observe that looking to the cardinal rule of 'no work no pay', the prayer of the workman for reinstatement without back wages is apparently just and proper. Consequently, it is held that the action of the management of Gun Carriage Factory, Jabalpur (MP) in terminating the services of Shri Lakshmi Prasad, Messenger Boy, Ex. T No. 2493/NIE w.e.f. 11-1-86 is not justified. The workman is entitled for reinstatement from the date of publication award. The workman will not be entitled for any back wages or consequential reliefs. Parties to bear their own costs.

ARVIND KUMAR AWASTHY, Presiding Officer

नई दिल्ली, 28 अप्रैल, 1995

का. आ. 1527.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार कलकत्ता पोर्ट ट्रस्ट के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कलकत्ता के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 25 अप्रैल 1995 को प्राप्त हुआ था।

[मं. एल. 32012/3/90 एम आई आर (विविध)]
बी. एम. डेविड, हेमक अधिकारी

New Delhi, the 28th April, 1995

S.O. 1527.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby published the award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of Calcutta Port Trust and their workmen, which was received by the Central Government on 25-4-95.

[No. L-32012/3/90-IR (Misc)]
B.M. DAVID, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 19 of 1990

Parties: Employers in relation to the management of
Calcutta Port Trust

AND

Their Workmen

Present :

Mr. Justice K.C. Jagadeb Roy

Presiding Officer.

Appearance :

On behalf of Management Mr. G. Muhherjee, Senior Labour Officer.

On behalf of Workmen Mr. S. Chatterjee, Joint Secretary of the Union

State : West Bengal.

Industry : Port.

AWARD

The reference made by the Central Government in exercise of its power under section 10(2A)(1)(d) of the Industrial Disputes Act, 1947, reads as follows :

"Whether the action of the management of Calcutta Port Trust, Calcutta in imposing the punishment of deferment of annual grade increment for two years without cumulative effect on Shri Biswaranjan Banerjee, Lock Fast Clerk of 5 NSD is justified. If not, what relief is the workman entitled to?"

2. Both the parties have filed their written statements and the Union also filed a rejoinder. In the written statement, the management has stated that Shri Biswaranjan Banerjee referred to in the schedule, was a Lock Fast Clerk in the Traffic Department, which is headed by the Traffic Manager. The "Lock Fast" is the earmarked secured place within the godown for storage of cargo, in which some special and valuable packages are stored and the Lock Fast of 5 NSD is located within 4 NSD Shed. The duty assigned to the Lock Fast Clerk is to secure special, broken and repaired packages in "Lock Fast" and to enter all particulars in the Lock Fast Register. He is also responsible for the safe custody of the goods secured in Lock Fast and for correct delivery thereof from the Lock Fast against receipt obtained and noted in the register. They are also to prepare and maintain an inventory of the Lock Fast Cargoes and all the Lock Fast Clerks working under the Board of Trustees for the Port of Calcutta do the above job and shoulder the aforesaid responsibility under the supervision of the Assistant Superintendent.

Shri Biswaranjan Banerjee accordingly was entrusted with the said duties and responsibilities in respect of Lock Fast Account 5 NSD berth located within the 4 NSD shed under the supervision of the Assistant Superintendent, Container Complex, Shri Biswaranjan Banerjee was governed by the Calcutta Port Trust Employees (Classification, Control & Appeal) Regulations 1987, as per which the Traffic Manager is the disciplinary authority and the Deputy Chairman Calcutta Dock System is the appellant authority as far as Class 3 and 4 employees of the Traffic Department are concerned. On 26-2-1987, Sri Banerjee was instructed by the Assistant Superintendent, Container Complex, to prepare a statement indicating therein the names and rotation numbers of the vessels for which Due Lists were issued and the date of such issuance during the proceeding period of 6 months. Since this instruction was not complied with, he was again instructed on 13-7-87 by the said Assistant Superintendent to comply with the said instruction given on 26-2-1987. Since it was still not complied with, it was brought to the notice of the Superintendent on Special Duty, Container Complex by the aforesaid Assistant Superintendent and the Superintendent instructed Shri Banerjee on 15-10-1987 to submit within 7 days, an inventory of the cargo in the Lock Fast and it was mentioned in the said letter that any failure on the part of Shri Banerjee to carry out the said instruction will be viewed seriously. Since this instruction was not carried out, the management contemplated to initiate disciplinary proceedings against Shri Banerjee under the aforesaid 1987 Regulations and proceeded under clause-9 of the said Regulations for imposing minor penalties.

According to the written statement of the management, the requirement of clause-9 was satisfied as in terms of clause-9 of the 1987 Regulations, the disciplinary authority, namely the Traffic Manager proposed to take action against Shri Banerjee who was so informed and was served with a statement of imputation referring to his alleged misconduct and was asked to reply within a period of 10 days from the receipt of the same. Shri Banerjee replied to the said memorandum of charges on 1-2-1988 but the Traffic Manager, not being satisfied with the reply passed the orders for deferment of annual grade increment of Shri Banerjee for a period of two years without cumulative effect and an appeal preferred by Shri Banerjee against the said order to the Deputy Chairman of the Calcutta Port Trust on 30-11-1988, the appellate authority duly considered the said appeal and rejected the same.

3. The Union who had taken up the cause of Shri Biswaranjan Banerjee during the conciliation and now has taken up the cause of the workman before this Tribunal, in the written statement filed under the signature of General Secretary, Calcutta Port & Shore Mazdoor Union has stated that on the 4th of July 1988, the Traffic Manager had issued the memorandum against Shri Banerjee intending therein to take action against him under Rule 9 of the C.P.T. Employees (Classification, Control and Appeal) Regulations 1987. A statement of imputation of the alleged misconduct of Shri Banerjee was also annexed to the said memorandum and Shri Banerjee was advised to make representation against the said proposal. Shri Banerjee had made a representation on 1-2-1988 against the proposed action. According to Shri Banerjee number 5 NSD (Netaji Subhas Dock) has no shed of its own, as such the Lock Fast at No. 4 NSD and the shed of No. 4 NSD were used

for the purpose of transit shed as well as Lock Fast for vessels discharging and loading cargo both in 4 and 5 NSD. Furthermore No. 5 NSD was extensively used for handling containers. Shri Banerjee was not posted to work as Lock Fast Clerk of 5 NSD in the year 1983 and came there later to work as such. On 26-2-1987, the Assistant Superintendent, Container Complex, issued the instruction to Lock Fast Clerk 5 NSD alongwith others to issue Due List and explain the reasons of non-compliance of issuing the said list. Shri Banerjee as the Lock Fast Clerk of 5 NSD in his representation dated 2-3-1987 had appraised the Assistant Supdt. that the Due Lists were issued as per the procedure and for preparation of such a statement, list for the preceding 6 months, a lot of time would be required by him, as such work had to be undertaken by him alongwith his regular duties and required a helping hand for the purpose. This representation of Shri Banerjee as is alleged, was not looked into and another show cause letter was issued by the Assistant Superintendent on 13-7-1987 alleging that Shri Banerjee had not complied with the earlier instruction dated 26-2-1987 and ordered to complete that voluminous job within a period of 10 days. Mr. Banerjee however replied on 25-7-1987 informing about the progress of the work as well as the difficulty he faced in doing the said work. Another show cause dated 1-9-1987 was however issued to him by the Assistant Superintendent. The Superintendent also issued a letter on 15-10-1987 to Shri Banerjee. Shri Banerjee made his representation on 20-10-1987 after receiving the show cause notice. According to the written statement the Traffic Manager without going through the difficulties and suffering faced by Shri Banerjee, issued the memorandum dated 4-1-1988 and proceeded to hold an enquiry under Rule 9 of the CPT Employees (Classification, Control and Appeal) Regulations 1987 and imposed the punishment. The Union now contains on behalf of the workman to withdraw the order imposing punishment.

4. The Management while examined three witnesses, the Union from their side has produced two witnesses. MW-1 is an Assistant Superintendent in the Traffic Department who has stated that Shri Banerjee was a person belonging to the Class III category in the employment of the Calcutta Port Trust. The Traffic Manager was the disciplinary authority of Shri Banerjee and Shri Banerjee was governed by the C.C.A. Rules and the memorandum of charges against Shri Biswaranjan Banerjee Ext. M-1 was issued under the signature of Shri K. K. Chopra.

MW-2 is also an Assistant Superintendent of the Calcutta Port Trust in the Traffic Department. He

had stated in his evidence that in the Lock Fast the valuables are kept under lock and key. After the days work, the duty of the Lock Fast Clerk is to lock the key, seal it and thereafter deposit the key with the C.I.S.F. Jamadar. According to him the Lock Fast Clerk is required to know the valuables that are kept there and items which are taken out from time to time. A register which is maintained by the Lock Fast Clerk showing that. The Lock Fast Clerk is required to maintain three registers e.g. (1) Hand Book, (2) Register showing the valuables which are received, and (3) the Left Behind Register. According to this witness if the registers are duly maintained, then it would be known from these what valuables are left with the Lock Fast. He had also explained the meaning of a "Due List". In his cross-examination he had stated that he had worked in 5 NSD temporarily and worked for sometimes in 4 NSD. There is no Lock Fast in 5 NSD which is only a Yard and the distance between the 4 NSD and 5 NSD is about 700 feet. In 4 NSD there are 8 Lock Fast and valuable cargos of 5 NSD are kept in the Lock Fast of 4 NSD. Those cargoes which are not valuable were only kept in the shed. He further stated that there is no Lock Fast earmarked for 5 NSD. According to him he was personally aware of the conditions of the Lock Fast of 4 NSD but he could not say about the condition of the Lock Fast before 1988. He could not say if there was a Lock Fast Clerk in 4 NSD in 1988 as also at the time of the deposition. The duty of taking the valuables in the Lock Fast or super cargoes is on the supervisors and other labourers. The Lock Fast Clerk only signs the cargo tally and that is his acknowledgement. These tally sheets are maintained when the cargoes were entered and despatched and it is not possible for the Shed Master or the Assistant Superintendent to know what special goods were entered into the Lock Fast and which are left out. "Due Lists" of the cargoes mean the list of cargoes those are entered in the Lock Fast and which had left. The Due List is prepared by the Lock Fast Clerk. He admitted that when an inventory of the articles of 1983 is ordered to be made in 1988, the inventory becomes very important because the cargoes might have been damaged or defaced and the storage of cargo for a long time might have lost its identity. He would not say if the cargoes of one lock Fast were transferred to another Lock Fast and when there is dearth of space in the Lock Fast super cargoes are kept near the Lock Fast. There was no relieving Lock Fast Clerk but responsible staff is always deputed to handover the key to C.I.S.F. If the Lock Fast Clerk is on long leave alternative arrangements are made.

MW-3 is also another Assistant Superintendent of the CPT in the Traffic Department. He admitted the Ext. M-6 to have been written by him which was

written in connection with the Due List and was addressed to the Lock Fast Clerk of 5 NSD namely, Shri Biswaranjan Banerjee. He stated that Due List is a list containing the special goods which are supposed to be secured in Lock Fast but ultimately not secured. Special cargoes are valuable and pilferable cargo and the list is prepared by the Lock Fast Clerk. Lock Fast is a special and covered area where the special cargoes are secured and the Lock Fast Clerk is in charge of that area. He further stated that he issued Ext. M-6 since he found while giving his morning round that some special goods were lying outside the Lock Fast. After the Due Lists are issued by the Lock Fast Clerk other supervisory staff and workers locate the said cargoes and bring them to the Lock Fast Clerk. He gave detail account how the Due List is prepared by the Lock Fast Clerk and said about purpose of the Lock Fast Register. He also admitted in his cross-examination that there is no Lock Fast in the 5 NSD and the Lock Clerk of 5 NSD sits in one of the Lock Fast of 4 NSD. According to him in the 4 NSD there is a shed earmarked as 5 NSD and referred to the southern Lock Fast which is so marked. Due List which was required in respect of the cargoes which are in the containers, the containers are destuffed in presence of the Lock Fast Clerk. At the time of destuffing a tally is prepared and that is done by the Tally Clerk. He stated that the Lock Fast Clerk is responsible if subsequent to the entry any goods is pilfered. He further mentioned that no rain water used to accumulate inside the 4 NSD during the rain and he also did not agree that there is no Lock Fast earmarked in the 4 NSD for 5 NSD. He stated he is not aware if at any relevant time some defects were found in any Lock Fast. He admitted his ignorance if the goods for 4 NSD and 5 NSD were stacked together.

5. Biswaranjan Banerjee was examined as WW-1. In his deposition, he had stated that he was posted as Lock Fast Clerk at 5NSD from 4th March 1983 and worked upto 31st October 1992 till his retirement and it was his duty as Lock Fast Clerk at 5 NSD to secure the special cargo at Lock Fast and deliver the same to the parties. Goods which are secured in the Lock Fast are maintained in the register signed by the Assistant Superintendent. The Officer of the 5 NSD never checked any register. It was only during the time of Mr. Halim, the Assistant Superintendent who was in charge of No. 4 Jetty, the checking was being made there. He admitted that the Due List meant list of the cargoes which are not entered in the Lock Fast. He did not draw the Due List in 1987 since he had no information regarding the release of the containers. The inventory of cargo is done when a cargo enters Lock Fast and is made after comparing

with the marks on the goods. He explained to the authorities the reason of not doing the inventory stating that it could not be held because of the hazards of the mark of the vessels were not there but nevertheless supplied the inventory list for the 4 years. There is no mention of the years for which the inventory was sought for. In June 1987 this information was given. On 15-10-1987, the Assistant Superintendent asked for further inventory but then he asked for assistance but no such assistance was given. No one asked him to make the inventory during the period from 1983 to 1987. From 4th August 1983 till he retired on 31st October 1992, no other person had asked for any inventory. He specifically stated that the charge sheet that was issued to him was not clear and specific and quite inappropriate. At 5 NSD he was the only Lock Fast Clerk posted where there were two Lock Fast Clerks at 4 NSD. When he took charge of the Lock Fast of 5 NSD he did not make any inventory to satisfy if the goods lying there, were as per records. The earlier Lock Fast Clerk Mr. Mullick had retired on 3-2-1983 and he joined his post on 4-3-1983, so no inventory could be made and he had informed Mr. A. Ghosh the then Superintendent of 4 NSD that he joined without verifying the records, however, that letter was not produced before the Tribunal. The damage marks on the goods because of accumulation of water was informed by him, but no steps were taken by the Assistant Superintendent or anyone in that regard. As per the instruction of Mr. Kumar, Assistant Superintendent of 4 NSD he had removed the goods to different Lock Fast and he had reported the marks and weights those were available on the cargoes, so removed. In the cross-examination he had stated, that there was no question of preparing a "Due List" unless he had known and had idea about the facing of the containers. He also said that such Due List could not be prepared in an hour as suggested.

The other witness for the workmen is a Lock Fast Clerk who had joined the Calcutta Port Trust as Shed Clerk Grade-II in 1957. He said that the special cargoes which are not entered in the Lock Fast are mentioned in the list called Due List. Due Lists are given to commercial Tally Supervisor and the Due List will show the name of the ship in which the cargo had come.

6. At the time of argument on the case, the only point which was concentrated upon by both the parties was if there was a lawful and proper enquiry in which the impugned punishment was imposed on Biswaranjan Banerjee. It was argued on behalf of the Management that Shri Banerjee had disregarded the lawful instructions of his superiors in not submitting the informations required from him, he had

misconducted himself and since the punishment that was intended to be imposed was a "minor penalty" within the meaning of Regulation 7 of Calcutta Port Trust Employees (Classification, Control and Appeal) Regulations 1987, the procedure that was required to be followed in imposing such penalty is contained in Regulation 9 of the said Regulation and the management after issuing the show cause notice as per Ext. M-1 dated 14-1-1988 annexing the statement of imputation of misconduct alleged against Shri Banerjee had given due opportunity to Biswaranjan Banerjee to make his representation against the proposed action and after considering the representation of Shri Banerjee and not being satisfied in what Shri Banerjee had stated, the disciplinary authority namely the Traffic Manager had passed the impugned order. Shri Banerjee no doubt appealed against the said order to the Deputy Chairman of the Calcutta Port Trust who however finding no merit in the said appeal had dismissed the same. The Union of the Workmen has urged in their argument that Shri Banerjee had explained the reasons for his not submitting the Due List for the year 1983 while submitting the list for the period from 1984 to 1987 indicating that it was not possible to make the inventory without the assistance of an extra hand and more so when, there was non supply of electricity to the place where the inventory was to be made because of some electrical disconnection and that it could not be done also within the period as required as marks on the containers had been defaced and erased because of the accumulation of water inside because of rains and that too, unless he was careful in making the inventory his statement would ultimately bind himself for the goods mentioned in the list. Therefore a perfunctory list on the basis of the register alone was not enough but a physical verification of the goods before an inventory was required to be done which needed time, particularly so, when at the time of his joining 5 NSD as Lock Fast Clerk, he was not handed over the stock after verification as the person who was in charge of the said NSD retired before his joining and did not handover the charge. According to him he was not given opportunity to substantiate what he stated in his representation and the management arbitrarily and without any basis, came to hold him guilty and imposed the punishment. The appellate authority also according to him, did not apply his independent mind to the representation of Shri Banerjee and ultimately had rejected the appeal.

7. Since no one would be punished without being heard, it now becomes necessary to consider if the procedure followed by the management in imposing the penalty was justified in law and not in violation of principle of natural justice.

8. The memorandum issued to Shri Biswaranjan Banerjee under the signature of the Traffic Manager dated 14-1-1988 is marked Ext. M-1 and the statement of imputation of misconduct as referred to in first paragraph of the memorandum is annexed to the said notice as Annexure-1, which is quoted below:-

"The said Shri Biswaranjan Banerjee while working as L.F.C. of 5 N.S.D. was asked by the Asst. Suptd. (Container Complex) to prepare the inventory of cargo lying in the Lockfast for the period 1983 and further back. In spite of repeated advices the said Shri Biswaranjan Banerjee, L.F.C. did not prepare and submit the desired complete inventory. He was again instructed on 15-10-1987 to prepare and submit the concerned inventory. In response thereto, he submitted a statement dated 20-10-87 wherein he put forward some excuses which were considered not tenable at all. Moreover the inventory pertaining to the year 1983 and further back was not submitted by Shri Banerjee."

As this statement of imputation will show the Assistant Superintendent, Container Complex had asked Biswaranjan Banerjee to prepare an inventory of cargo lying in the Lock Fast from 1983 and further back but Shri Banerjee failed to prepare and submit the said inventory in spite of repeated advices. He was later on instructed on 15-10-1987 to prepare and submit the said inventory. He had submitted a statement dated 20-10-1987 wherein he had put forward some excuses which are not considered tenable. In any case inventory pertaining to the year 1983 and further back was not submitted by Shri Banerjee.

9. In the reply Shri Banerjee had written to the Traffic Manager on 1-2-1988 through proper channel which has been marked Ext. M-2 stating that:

- (a) It was not a fact that the Assistant Suptd. had asked him to prepare the inventory of the cargo lying in the Lock Fast of 5 NSD for the period from 1983 and further back.
- (b) He also denied that he was again instructed on 15-10-1987 to prepare that inventory for the period from 1983 and further back and denied to have shown any excuses in that regard in his statement dated 20-10-1987. According to him therefore there was no question of submitting any inventory for the year 1983 and the period further back.

In the said representation Shri Banerjee had indicated that in a letter dated 13-7-1987 issued by the Assistant Superintendent, Container Complex, he was merely asked to make an inventory of the cargo

in the Lock Fast of 5 NSD and submit a detail list of cargo lying in the Lock Fast for more than 10 days and in reply to the said letter Sri Banerjee had replied that it would take a long time to prepare the said statement as all the packages were lying for a long period and that he was the only Lock Fast Clerk of 5 NSD who apart from his own regular work would be required to do that extra work. He had his daily duties to perform at 5 NSD. Within one week of his reply he had however submitted a statement through the S.M., 5 NSD, giving the list of cargoes lying from 1984 to 1987. Later on however he received another letter dated 1-9-1987 from the Assistant Superintendent, Container Complex wherein it was alleged that the statement of packages lying over 30 days was not received by the Assistant Superintendent till then. Shri Banerjee had written to the Traffic Manager that he was surprised that how his statement which was despatched long before the letter dated 1-9-1987 had not reached him necessitating him (the Traffic Manager) to write the afore-said letter. He stated that the two letters which were received from the Assistant Superintendent namely the letter dated 13-7-1987 and 1-9-1987 had been duly complied with. He referred to another letter dated 15-10-1987 from the D.D.M. (C.D.) asking him to submit a statement for the period 1983 and further back. Requisition for this statement was for the first time made by the D.D.M. (C.D.) in his letter dated 15-10-1987 and was not by the Assistant Superintendent earlier. Therefore there was no basis for the imputation of misconduct as alleged in the charge. He then went on to explain his difficulties for not submitting statement for 1983 and further back and stated as below.

(a) There was no separate Lock Fast for 5 NSD; (b) the special cargo of 5 NSD were being kept mixed with special cargo of 4 NSD in the Lock Fast of 4 NSD; (c) that the Lock Fast at the ground and first floor were flooded with rain water causing damage to the planks of the case and had defaced the marks and vessel stencils of the packages causing thereby the original identity of the packages to be lost both in 4 and 5 NSD about which information was given by him to the Assistant Superintendent 4 NSD from time to time and under his advice several memos were issued to the Executive Engineer NSDs but to no effect. Some of the packages were removed from the Lock Fast of the first and second floor as per the advice of the Assistant Superintendent 4 NSD in his presence and identity of many of those packages could not be ascertained owing to the loss of its original identity because of rotten and broken condition and the detached planks. Besides, some of the old packages which were lying in some of the Lock Fast of the first and second floor could not be tallied owing to the fact that the doors were

jammed and efforts were made to open those doors but it could not be done. All these conditions and difficulties were known to the Assistant [Superintendent 4 NSD and Assistant Superintendent 5 NSD and Senior Executive Engineer who were issued several memos for years together but all were in vain. Besides, some of the Lock Fast had no lighting arrangements due to defect in the electrical line and there was no replacement of fused electric bulbs and several memos were issued to the Electrical Foreman NSD with copy to the Assistant Superintendent 4 NSD intimating the condition and asking for making arrangements for light but to no effect. Even in these ratched conditions according to Shri Banerjee he made inventory of certain old cargoes and submitted the statement whose identification could be detected while some of the old cargoes were still lying defaced and broken.

10. As I have already indicated a punishment can be inflicted on a workman only after a proper and lawful proceeding in accordance with law and following the principle of natural justice. The notice/memorandum as per Ext. M-1 refers to the alleged misconduct of Shri Banerjee. All acts of negligence cannot constitute misconduct unless it was committed out of ill-motive. A reference may be made to the case decided by the Allahabad High Court in Dr. S.S. Aluiah Vs. G.B. Pant University of Agriculture and Technology & Anr. reported in 1991 (62) FLR at page 49. What is misconduct may be defined in the regulations governing the conduct of the workman or may be contained in the Standing Orders. When the expression "misconduct" is defined under any Rules or Regulations governing the conduct of the workman, if the act comes within the meaning of that definition it is no doubt to be held as a misconduct. When such a meaning is not borne out in any regulation or the rules or in the Standing Orders, the expression shall carry its dictionary meaning namely "improper behaviour, intentional wrong doing or deliberate violation of rule of standard of behaviour." In industrial law the word misconduct contains a specific connotation. It not always mean and include inefficiency or slackness. It is something far more positive and certainly deliberate. The charge of misconduct therefore is a charge of some positive act or conduct which would be incompatible with the express or implied terms or relationship of employer and employee and as such the meaning naturally shall depend upon the circumstances of each case. The court has gone to enumerate various acts as misconduct but that itself is not exhaustive. For example in *Saradaprasad Omkarprasad Tewary Vs. Central Railway*, reported in 1960 (1) LLJ 167 a list of acts were shown as acts of misconduct which according to the Court were enough to justify the dismissal of the delinquent

employee which includes if a servant is habitually negligent in respect of his duties for which he is engaged, the negligence of the servant though isolated, would cause serious consequences. Insubordination and indiscipline, may in certain circumstances be a misconduct inviting punishment, so is the concept of obedience is an implicit of the fact that the officer receiving the order is subordinate to the officer giving the order and lawful order has to be obeyed unless there is good justification for not complying with such an order. A reference may be made to page 305 of the Book of Disciplinary Action Against Industrial Employees and its remedies by K.D. Srivastava, Second Edition.

11. The Calcutta Port Trust Employees Conduct Regulation of 1987 deals with what should be the conduct of the employees working under the Calcutta Port Trust. By necessary implication, anything contrary to those conducts which are prohibited, are obviously to be treated as acts of misconduct. What is to be treated as misconduct is not clearly defined in any other standing orders or rules or regulations that is framed for the employees of the Calcutta Port Trust, as no such materials are brought to my notice by the management. Whether mere insubordination or negligence amounts to misconduct, has already been stated by me earlier in the above paragraphs. In order to be termed as 'misconduct', it must be without lawful justification and negligence must be with a positive act to flout the order of the management in disregard of his authority being wilful and if a person is habitually negligent, the inference could also be drawn against the workman in this regard. The notice shows the statement of imputation which is filed alongwith the notice is only a "draft statement of imputation." Assuming it is a typographical mistake and it was the actual and final statement of imputation, this itself does not make out which pertinent action of the workman in such imputations amounted to misconduct and how. Besides, the basic principles of natural justice are that the notice of allegation should be specifically and clearly brought to the notice of the delinquent so that he would be in a position to explain the charge. A reference can be made to *Ajoy Kr. Mitra Vs. Vice Chancellor, Rourkie University and Ors.* reported in 1991 (63) FLR 2991—1992 (II) LLJ 34 in this regard. No doubt there is no rigid rule of natural justice but what should be the natural justice in a particular case, would depend on the facts and circumstances of each case. It is also necessary as a part of natural justice that the order of the disciplinary authority must be based on reasonings, however precise it may be, which will prevent the miscarriage of justice and secure fairplay in action and exclude the possibility of arbitrariness. A reference can be made to the case of *A.K. Sheel Vs. Principal, M.M. Engineer College, Gorakhpur & Ors.* reported in 1991

(62) FLR 298 (Allahabad). In the present case under reference the notice of imputation of misconduct does not show when Shri Biswaranjan Banerjee while acting as Lock Fast Clerk at 5 NSD was asked by the Assistant Superintendent to prepare the inventory of cargo. No date is indicated. Though notice shows that there was repeated advises made to Shri Banerjee but he did not prepare the complete inventory. No reference however are made to the different dates of advices. The imputation of charges of alleged misconduct as stated in Annexure-1, is accordingly vague.

12. In the reply to this notice, Shri Banerjee had specifically denied certain facts as I have already stated earlier and also gave out the reasons why there was some delay in complying with the direction of D.D.M. (C.D.) dated 15-10-1987, even though that was not part of charge of misconduct in Ext. M-1. There was no speaking order by the disciplinary authority why he disregarded the explanation of Shri Banerjee and of his abruptly coming to the conclusion that Shri Banerjee was guilty of misconduct and imposed the punishment. Impugned order accordingly can be characterised as arbitrary and without any reason or foundation and as such cannot be sustained.

13. It is also one of the contentions of Mr. Mukherjee appearing on behalf of the management that the disciplinary authority was not required in law to hold any enquiry since it was a proceeding for imposing minor penalties under Regulation 9(1)(b) of Regulation 1987 which reads as follows:

"9(1)(b). holding of enquiry in the manner laid down in sub-regulation (4) to (22) of Regulation 8, in every case in which the disciplinary authority is of the opinion that such enquiry is necessary;"

Regulation 9(1)(b) allows the disciplinary authority not to proceed to have an enquiry if it was of the opinion that an enquiry was not necessary. Though I have already held that because of the ground that the statement of imputation of misconduct was not specific and as such the violation of principle of natural justice committed and quash the impugned order on that account, I am also of the view that the power of the disciplinary authority under Regulation 9(1)(b) of the Regulations 1987 not to hold an enquiry if in his opinion an enquiry was not necessary is not an unbridled power in him to be exercised arbitrarily on his subjective satisfaction. This opinion not to hold enquiry in conformity with sub-regulations (4) to (22) of Regulation 8 can only be formed only on this objective satisfaction. When there were very many grounds raised by the delinquent suggesting circumstances in which if at all there was delay in execution of the order or non-compliance of the order, it was required of the disciplinary authority not to be

arbitrary but to have considered those explanations by giving an opportunity to Shri Banerjee to substantiate his statements and even to the management to explain the situation. This has not been done in this case. The appellate authority had also failed to consider this aspect and has rejected the appeal of the delinquent.

14. I accordingly in answering the reference hold that the action of the Calcutta Port Trust in imposing the punishment of deferment of annual grade increment for 2 years without cumulative effect on Shri Biswaranjan Banerjee, Lock Fast Clerk of 5 NSD is not justified. Shri Banerjee is accordingly entitled to receive his annual grade increments for the period in question which he was entitled to if no deferment of annual grade increment for 2 years had been passed.

The Award is made accordingly.

K.C. JAGADEB ROY, Presiding Officer

Dated, Calcutta,
The 10th March, 1995.

नई दिल्ली, 4 मई, 1995

का. आ. 1528.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार केन्द्रीय विद्यालय मथुरा रिफाईनरी के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 2 मई, 1995 को प्राप्त हुआ था।

[संख्या एल-42012/93/90 आई-आर (डी यू)]
के. वी. बी. उन्नी. डेस्क अधिकारी

New Delhi, the 4th May, 1995

S.O. 1528.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Kendriya Vidyalaya and their workmen, which was received by the Central Government on 2-5-75.

[No. L-42012/93/90-IR (DU)]
K.V.B. UNNY, Desk Officer

ANNEXURE

BEFORE SRI B K SRIVASTAVA PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
CUM LABOUR COURT PANDU NAGAR DEOKI
PALACE ROAD

KANPUR

Industrial Dispute No. 11 of 1991
In the matter of dispute between:
Sri Thakur Das
S/o Sri Itwari Lal
Village Addewala
Post Baldeo

District Mathura
And
Principal
Central School
Mathura Refinery
Mathura 281006

Award:

1. Central Government, Ministry of Labour, New Delhi, vide its notification No. L-42012/93/90-I.R.D.U. dated 13-2-91, has referred the following dispute for adjudication to this Tribunal—

Whether the Principal of Kendriya Vidyalaya Mathura Refinery, Mathura was justified in terminating the services of Shri Thakur Das, S/o Atwari Lal, Sweeper-cum-Chowkidar-cum-peon w.e.f. 20-12-88 ? If not, what relief the workman concerned is entitled to ?

2. The case of the concerned workman Thakur Das is that he was employed by the employer Principal Central School Mathura Refinery Mathura, on 24-6-88 at the post of SAFAI KARAMCHARI CUM CHOWKIDAR. He worked at this post upto 20-12-88 continuously when his services were terminated by the employer. The employer has committed patent illegality by terminating his services as he had retained the services of one Babu Lal who was employed on 24-10-88 and was thus junior to concerned workman. In this way the principal of LAST COME FIRST GO as enshrined in section 25G I.D. Act has been breached. As such the applicant is entitled for reinstatement with back wages and other allied benefits.

3. The employer has filed written statement and has alleged that the concerned workman employed for fixed term upto 20-12-88. As such his term of employment came to an end by efflux of time. The employer has not terminated his services.

4. In support of his case the concerned workman has filed his affidavit. The employer also filed affidavit of Ashok Kumar Gupta, the Principal of the School but he was not submitted for cross examination inspite of repeated opportunity. Hence, his evidence was closed. In this way on the one hand there is complete statement of the concerned workman and on the other hand there is affidavit of the principal who did not submit himself for cross examination. Hence, his evidence is to be ignored. Thus the evidence of the concerned workman is un rebutted. The documents filed by the employer have not been proved. In these circumstances, I believe the un rebutted statement of the concerned workman. The employer has failed to prove that the concerned workman was employed for fixed term. In its absence the un rebutted evidence of the concerned workman fully establishes that this employment was not for fixed term. Hence section 25G I.D. Act was applicable. Since the employer committed breach of the above provisions as the services of Babu Lal were retained who was junior to the concerned workman.

5. In the case of Kamlesh Singh versus Presiding Officer, 1987 SCC (Lab 75), it has been held that provisions of section 6-P of U.P.I.D. Act, are not controlled by section 6-N of the same Act. The provisions of section 6N are analogous to provisions of section 25F of I.D. Act. Similarly provisions of Sec. 6P are analogous of section 25G of I.D. Act. In view of above it is clear that provisions of section 25G are independent of sec. 25F, Hence, in a case where a workman is allowed to work even for a short duration provisions of section 25G I.D. Act will be applicable to him. As in this case the employer has committed breach of this provision, it is held that the termination of the concerned workman was illegal. As such he is entitled for reinstatement and back wages from

the date of reference. The concerned workman shall also get Rs. 200/- as costs.

B.K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 4 मई, 1995

का. आ. 1529 औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वय में केन्द्रीय सरकार बैंक ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 4 मई, 1995 की प्राप्ति हुआ था।

[संख्या एल-12012/200-89/डी-2(ए)/आई आर बी 2]

वी. के. शर्मा, डेस्क अधिकारी

New Delhi, the 4th May, 1995

S. O. 1529 : In Pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bank of Indore and their workman, which was received by the Central Government on 4-5-95

[No. L-12012/209/89-D II (A)/IR (B-II)]

V. K. SHARMA, Desk Officer

ANNEXURE

Before Shri B K. Srivastava presiding Officer Central Government Industrial Tribunal cum Labour Court, Kanpur. Industrial Dispute No. 268 of 1989

In the matter of dispute between:

State Asstt. General Secretary,
U. P. Bank Employees Union,
36/1 Kailash Mandir,
Kanpur.

AND

Regional Manager
Bank of India,
Regional Office,
Civil Lines,
Kanpur.

Award

1. The Central Government, Ministry of Labour New Delhi, vide its notification no. L-12012/200/8 -D-II(A) dt. 20-10-89, has referred the following dispute for adjustment to this Tribunal;

"Whether the action of the management of Bank of India in awarding the punishment of withholding of two annual increments of Shri Ravi Kant Shukla is justified? If not to what relief is the workman entitled?"

2. The concerned workman Sri Ravi Kant Shukla is working as Cash-cum-Accounts Clerk in the Unnao Branch of Bank of India. He had taken leave fare concession from 23-5-85 to 3/4-6-85. He had submitted a Bill for Rs. 1900/- the copy of which is Exm-4 showing that he had travelled by Bus from Kanpur to Srinagar Kashmir through Bhadauriya

Travels. In other words he had availed of this concession upto 3/4-6-85. However he was found working in the office on 3-6-85. This showed that he was physically present in Unnao on 3-6-85 and had attended the office, where was according to receipt he could not be physically present in Unnao on that date. The claim of the concerned workman regarding leave fare concession and the bill for Rs. 1900/- was handed over to Shri Tara Singh Industrial Relation Officer. He wrote a letter to M/s. Bhadauriya Travels for verifying genuineness of the claim of the concerned workman who in turn informed this witness that tour had lasted upto 3/4-6-85 which falsified the claim of the concerned workman that Bus had returned on 2-6-85. This witness accordingly submitted the report that the concerned workman had actually not undertaken the journey and claim was false. On the basis of this report the concerned workman was served with chargesheet dated 16-1-86 of which EXT: M-6 is copy. It is as under:

While working as Cash-cum-Accounts Clerk at Unnao Branch, acts of misconduct as hereinafter mentioned are alleged to have been committed by Shri Ravi Kant Shukla.

On 03rd June, 1985, Shri Ravi Kant Shukla, Cash-cum-Accounts Clerk, was present at Unnao Branch and performed his official duties assigned to him by the Manager, Unnao Branch, whereas as per bus fare receipt No. 2397 dated 21-5-1985 of M/s Bhadauria Travels Bus Service, 111A/20, Ashok Nagar, Kanpur, Shri Shukla left for Srinagar tour on 23-5-1985 and returned on 4-6-1985. As such, Shri Shukla submitted a false leave fare concession bill dated 20-5-1985 to the Bank, in connivance with M/s Bhadauria Travel Bus Service and Shri Shukla and his family members did not undertake the journeys to Srinagar and back to Kanpur between 23-5-1985 to 4-6-1985 at all. By submitting a false leave fare concession bill to the Bank, Shri Shukla misappropriated Rs. 1848/- of the Bank.

His aforesaid acts, being prejudicial to the interests of the Bank, amount to acts of gross misconduct in terms of para 19.5(j) of the First Bipartite Settlement dated 19-10-1966.

3. Shri B.S. Rohtgi was appointed as Enquiry Officer, R.N. Ansari was presenting Officer whereas R.K. Shukla was representative of the concerned workman. During the course of enquiry the bank examine Tara Singh and S.K. Sharma the Branch Manager at Unnao. The concerned workman examine R.K. Singh Bhadauria, Arvind Kumar Agnihotri and K.K. Srivastava. Beside management filed Ext. M-1 to Ext. M-10. On the basis of the evidence enquiry officer on 4-8-87 held the charge against the concerned workman was proved. Hence show cause notice dated 31-8-87 was given and punishment was awarded on 31-10-87 withholding of two annual increments.

4. Feeling aggrieved the concerned workman has raised the present Industrial Dispute. In his written statement he has assailed the validity of Enquiry Officer in a variety of ways. It was also alleged that findings is also perverse. It was also alleged that he has actually undertaken the journey for which leave fare concession was claimed. He had actually returned on 2-6-85 and not on 3/4-6-85.

5. The Bank in his written statement has repelled all the objection of the concerned workman regarding domestic enquiry and findings. It was also alleged that the concerned workman had actually not performed the journey.

6. On 21-4-93 the representative of the concerned workman given statement before the Court that the report of the Enquiry Officer is challenged only to the extent that his findings is perverse. In other words the validity of Enquiry Officer was not pressed on any other ground as alleged in the written statement. Accordingly it is to be seen as together findings Enquiry Officer is perverse.

7. For determining this it will be relevant to refer to oral evidence on records.

8. Tara Singh is the Industrial Relation Officer. He had stated that during the course of investigation he had enquired from Bhadauriya Travels regarding the returned of Bus. He had confirmed that Bus had returned in the night of 3/4-6-85 Ext. M-3 is a copy of reply dated 15-1-86 in which it was mentioned that the journey of bus had ended on 4-6-85. S.K. Sharma Branch Manager has proved that the concerned workman had performed his duties in office on 3-6-85. He had also filed paper to prove this fact. In my opinion his evidence was unnecessary as the concerned workman himself admits that he had worked on 3-6-85. Evidently nadmitted fact need not to be proved. On the other hand R.K. Bhadauriya the Owner Bhadauriya Travels that he had given 4-6-85 as the date of return of Bus to Unnao. On the basis of his memory actually the Bus had returned on 2-6-85. Arvind Kumar Agnihotri is the Landlord of concerned workman he had stated that the concerned workman had returned on 2-6-85. Similarly in this statement Clerk-cum-Typist of the Bank K. K. Srivastava. I think that Enquiry Officer had rightly disbelieved the testimony as it was belied from Ext. M-4 the copy of receipts in which it was specially mentioned that the journey was performed from 23-5-85 to 3/4-6-85. Apart from this the concerned workman had not entered into witness box before the Enquiry Officer as such adverse reference could have been drawn against him. In my opinion the conclusion of the Enquiry Officer based on the evidence of Tara Singh coupled with Ext. E-4 and E-5 was correct. In view of above discussion I have no manner of doubt that the findings of the Enquiry Officer in calpatting the concerned workman for claiming false leave travels concession is not perverse.

9. As regards quanten of punishment in my opinion it is not excessive.

10. Hence my findings the reference is in the negative further the applicant is not entitled any relief.

B.K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 5 मई, 1995

का.आ. 1530—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार ई.सी.एल. के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 1 मई, 1995 को प्राप्त हुआ था।

[एल. 19012/51/86-IV(बी)]

राजभाषा, डेस्क अधिकारी

New Delhi, the 5th May, 1995

S.O.1530.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure in the Industrial dispute between the employers in relation to the management of E.C.L. and their workman, which was received by the Central Government on the 1-5-95.

[No. L-19012/51/86 D-IV (B)]

RAJA LAL, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 11 of 1988

Parties: Employers in relation to the management of Mohanpur Colliery of M/s. Eastern Coalfields Limited

A ND

Their Workmen.

PRESENT

Mr. Justice K.C. Jagadeb Roy
.....Presiding Officer.

Appearance:

On behalf of } Mr. Arunava Ghosh, Advocate with
Management } Mr. Ranjit Talukdar, Advocate and
} Mr. D. Mukhopadhyay, Advocate.

On behalf of None.
Workmen

State: West Bengal

Industry : Coal.

AWARD

In exercise of the powers conferred under clause (d) of sub-section 1 and sub section (2A) of section 10 of the Industrial Disputes Act 1947, the Central Government by Order No. L-19012/51/86-D. IV(B) dated 23rd January, 1987, has referred the following dispute to this Tribunal for adjudication:

"Whether the Management of Mohanpur Colliery of M/s. E.C. Ltd. was justified in denying employment to S/Shri Uday Nayak, Bejoy Besai and Trinath Nayak? If not, to what relief the workmen concerned are entitled and from what date?"

2. The Koyala Mazdoor Congress of Asansol which took up the cases of the workmen during the conciliation proceeding and have appeared for the workmen in this reference had filed their written statement under the signature of the General Secretary on 11th April 1987 and the management had filed their's on 6-10-1988 to which the Union chose to file a rejoinder.

3. In the written statement filed by the workmen it was contended that the three workmen namely Uday Nayak, Bejoy Besai and Trinath Nayak were working at Mohanpur Colliery from the period of earstwhile management and continued to work after the same establishment was taken over on nationalisation of coal industry. The management after nationalisation in order to find out the genuineness of the workers in the coal mining industry in general and in Mohanpur Colliery in particular, constituted a screening committee, which prepared a list of the genuine workers. It was urged in the written statement that the list contained the names of the aforesaid three workers but because of their long absence at the relevant time, who had left the place of work without

even leaving their addresses with the employer, could not be given jobs. According to the Union those three workers namely Uday Nayak, Bejoy Basal and Trinath Nayak suffered from mental disorder in course of their employment and were under continuous treatment with effect from 22-12-1974, 18-11-1974 and 14-11-1974 respectively of Dr. B.B. Singh at Ranchi Manasik Arogyashala, Kanke (Ranchi), under which circumstances they were compelled to be absent unintentionally from their duties but their co workers kept the management informed about the said situation. When the concerned workman on recovery came to the Colliery during the last week of August 1982 with fitness certificate dated 23-8-1982, 20-8-1982 and 26-8-1982 respectively and approached the management to allow them duty in the colliery, the management has refused to accede to the request, for which a dispute was raised and the negotiation was started by the Union with the Management with a view to reinstate those persons. The said negotiation having failed, the Union had raised the industrial dispute on 6-3-1984 before the A.L.C.(C), Asansol and that having failed the present reference has been made by the Central Government.

4. The management in its written statement cum rejoinder has stated that after nationalisation of the Coal Mines in 1973, the Coal Mines Authority constituted the screening committee to prepare the Manpower list in various collieries and in respect of Mohanpur Colliery the screening committee prepared two lists dated 16-4-1973 and 1-5-1973. The names of Uday Nayak and Trinath Nayak were found in the list dated 1-5-1973 having placed at the serial 139 and 150 while Bejoy Basal was shown in the list dated 16-4-1973 at serial No. 58 and their names were recommended for employment in the colliery.

In the Form 'B' Register of the Mohanpur Colliery, the names of S/Shri Uday Nayak, Trinath Nayak and Bejoy Basal were recorded against serials 2223, 2511 and 2185 respectively. These three persons were absent from duties without permission for considerable period of times and the Manager of the Mohanpur Colliery was directed by the General Manager to delete the name of the said workmen from the roll of the colliery. The said order was communicated by letter dated 9/12-1-1976 and the Manager of Mohanpur Colliery on receipt of the aforesaid letter issued a notice bearing No. 1730/MC/76/C-6/64/126 dated 15-1-1979 indicating that these three persons left the place of work without any information to the authority and also had not left any address for communication with the management. It was notified that if they did not report for duty or submit any information within one month from the date of issue of that notice, their names would be deleted from the roll of the colliery. The copy of the said notice was also sent to the functioning Unions including this Union which has taken up the cause of the workmen in this reference. In spite of that no response from any of these persons or from their Union was made and the colliery management in accordance with the notice, deleted the names of these three workman from the roll of the colliery in 1976 by making proper entries in the form 'B' Register of the colliery in this regard.

It was also denied that these three persons were subject to any mental disorder and remained under the treatment of Dr. B.B. Singh of Ranchi Manasik Arogyashala, Kanke. It was also specifically denied that the management was ever kept informed of whereabouts of those three persons. The management also stated that these three persons were never treated at Ranchi Manasik Arogyashala, Kanke, as alleged.

Having doubted the genuineness of the medical certificates filed by these three persons from Dr. B. B. Singh of Ranchi 1188 GI/95—9.

Manasik Arogyashala, Kanke, the management referred the matter to Bihar Medical Council for investigation and the communication was made with Dr. B.B. Singh from the Personnel Manager, Salanpur Area, requesting Dr. Singh to let the management know whether the certificates were actually issued by him. No reply to this communication from the doctor was ever received.

It was also stated in the written statement that there was publication in the newspaper by some correspondents with a photo copy of letter dated 25-11-1983 issued by the said doctor in favour of another man which was found to be false certificate and a criminal case was initiated against the concerned persons. A quarry was therefore made from the Superintendent of Ranchi Manasik Arogyashala, Kanke, to which the Superintendent had informed the management that no such persons were treated in that hospital. Accordingly, the management after due consideration of all facts and circumstances, found that these three persons absented from duty unauthorisedly for considerable period of time for about 10 years and failed to take any step on the notice dated 15-1-75 issued by the management and holding that the medical certificate filed by the workmen were not genuine, refused to accede to the request of the Union as well as of the concerned workmen in giving them employment.

5. In the rejoinder filed on behalf of the workmen dated 28-11-1988 under the signature of the vice-president, it was urged that the omission of the names of these three persons from the list was in violation of natural justice and since each of them already put in 240 days or more work in the said colliery the termination, discharge or removal from service without any notice or payment of a sum of money in lieu, tantamounted to retrenchment.

6. The order sheet shows that the Union was not very serious about the case. None appeared for the Union on 5-3-1992. Though the case was adjourned to 17-12-1992 by order dated 29-9-1992 for cross examination of MW-1, none appeared on behalf of the workmen to cross-examine the witness on that date. So was the case when the was called on 2-3-1993 and 11-3-1993. The order sheet shows that on 8-7-1993 inspite of notice, no one was present on behalf of the workmen to tender the evidence. On 21-9-1993 none was present on behalf of the workmen and no step was taken on their behalf for adducing the evidence. The case was finally fixed for argument. And on 27-9-1994, the matter was argued by the management, when the workmen was also absent in the Tribunal and no step was taken on their behalf for adjournment.

7. Management examined their sole witness Mr. A.K. Roy, an employee of the management. He had stated in his deposition supporting the contentions of the management on all material points raised in their written statement. According to him the management intimated the Union concerned that the employees concerned had not attended their duties. The notice was also displayed on the notice board. The workmen reported for duty in 1982 and wanted employment from the management and stated that they were being treated for mental illness at Ranchi Manasik Arogyashala. The management having doubted their statement had written to Ranchi Manasik Arogyashala, Kanke letter dated 8-12-1992 (Ext. M-3), which letter was not replied to and in 1988 another letter, Ext. M-4 was sent to which a reply was received on 8-8-1988 which is made Ext. M-5 in which the Superintendent of Manasik Arogyashala confirmed that the employees concerned were never treated in that hospital. The names of three employees, thereafter were struck off from the rolls of the colliery since they had abandoned their work under the colliery without permission and authority.

8. The Union, who espouses the case of these three workmen, as already, stated had not lead any evidence on behalf of the workmen in support of their written statement as well as rejoinder. The management by its witness and exhibits have proved their bona fides in their action in striking off the names of these persons from the role of the colliery. Those three persons no doubt had passed the screening after nationalisation, were allowed to work, but they did not join their duty and abandoned their work for a period of about 8 years and had taken no step in that period of intimate the management about their whereabouts. The medical certificates of Dr. Singh of Ranchi Manasik Arogyashala, Kanke, which they filed were not proved to be genuine but were found to be forged. Voluntary retirement of the workmen are not retrenchments as per Section 200 of the Industrial Disputes Act 1947. The requirement of provisions contained in Chapter-VA or Chapter VB does not apply to the present case.

9. In the result, I answer this reference, holding that the management of Mohanpur Colliery of M/s. Eastern Coal-fields Limited was justified in the present case, in denying the employment to S/Shri Uday Nayak, Bejoy Besai and Trinath Nayak and none of these workmen is entitled to any relief against the said Colliery.

The Award is passed accordingly.
Dated, Calcutta,
The 13th March, 1995.

K. C. JAGADEB ROY
Presiding Officer

नई दिल्ली, 8 मई, 1995

का. आ. 1531.—जबकि टेलिकाम विभाग, पेड़्डापल्ली के प्रबंधन और उनके कर्मकार, जिसका प्रतिनिधित्व अखिल भारत टेलिकाम कर्मचारी संघ, लाईन स्टाफ और वर्ग घ, करीम नगर कर रहा है, के मध्य एक औद्योगिक विवाद विद्यमान है,

और जबकि, उक्त प्रबंधन और उनका कर्मकार, जिसका प्रतिनिधित्व अखिल भारतीय टेलिकाम कर्मचारी संघ, लाईन स्टाफ और वर्ग "घ" कर रहे हैं, ने औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10क की उप धारा (1) के तहत लिखित रूप से उक्त विवाद को विवाचन के लिए संदर्भित करने के लिए सहमत हो गए हैं और उन्होंने उक्त विवाचन करार की एक प्रति केन्द्रीय सरकार को अर्पणित कर दी है,

अतः अब उक्त अधिनियम की धारा 10-क की उप-धारा (3) के अनुसरण में, केन्द्रीय सरकार उक्त करार को एतद्वारा प्रकाशित करती है।

करार

(औद्योगिक विवाद अधिनियम 1947 की धारा 10-क के तहत)
के मध्य

पक्षकारों के नाम

नियोक्ता प्रतिनिधि

श्री एस. लिंगियाह

एस.डी.ओ. टी. पेड़्डापल्ली

कर्मकार प्रतिनिधि

श्री ए. राजमौली, क्षेत्रीय सचिव,

अखिल भारतीय टेलिकाम

कर्मचारी संघ, करीम नगर

एतद्वारा पक्षकारों के मध्य यह करार हुआ है कि निम्नलिखित विवाद को श्री के. रामा कृष्ण, उप मुख्य श्रम आयुक्त (के.) बंगलौर के विवाचन के लिए संदर्भित कर दिया जाए।

(i) विवाद का मुख्य मुद्दा श्री के. प्रसाद राव पूर्व मजदूर, पेड़्डापल्ली की सेवाओं को कथित अवैध ढंग से समाप्त करना।

(ii) विवाद के पक्षकारों के ब्यौरे और अंतर्ग्रस्त प्रतिष्ठान अथवा उपक्रम का नाम और पता (1) उप विभागीय अधिकारी, टेलिकाम, पेड़्डापल्ली, (2) श्री के. प्रसाद राव, पूर्व मजदूर

(iii) कर्मकार, यदि वह स्वयं विवाद में अंतर्ग्रस्त है, का नाम अथवा संघ, यदि यह उक्त कर्मकार या कर्मकारों का प्रतिनिधित्व करता है, का नाम क्षेत्रीय सचिव, अखिल भारतीय टेलिकाम कर्मचारी संघ, करीम नगर

(iv) विवाद द्वारा प्रभावित या प्रभावित होने वाले कर्मकारों की कुल संख्या एक

(v) विवाद द्वारा प्रभावित या प्रभावित होने वाले कर्मकारों की आकलित संख्या एक

हम आगे इस बात पर सहमत हैं कि विवाचक, श्री के. रामा कृष्ण उप मुख्य श्रम आयुक्त (के.) बंगलौर का निर्णय हम पर बाध्यकारी होगा।

विवाचक छह माह की अवधि अवकाश दोनों पक्षों द्वारा लिखित रूप में आग्रहों करार द्वारा बढ़ाई गई अवधि के भीतर अपना पंचाट देंगे। यदि उक्त अवधि के भीतर पंचाट नहीं दिया जाता है, विवाचन के लिए भेजा गया संदर्भ स्वयमेव निरस्त हो जाएगा और हम नए विवाचन के लिए वार्ता करने के लिए स्वतंत्र हो जाएंगे।

प्रबंधन की ओर से

संघ की ओर से

ह./—

ह./—

उप विभागीय अधिकारी,
टेलिकाम, पेड़्डापल्ली,
करीमनगर जिला

क्षेत्रीय सचिव, अखिल भारतीय
टेलिकाम कर्मचारी संघ,
करीम नगर

विवाचक की सहमति

कृपया सहायक श्रम आयुक्त (के.) मन्चेरियल को संबोधित अपने दिनांक 14-3-95 के पत्र सं. एल-40011/17/95 आई. आर. (डी. यू.) जिसकी एक प्रति

मुझे पृष्ठांकित की गई है, का अवलोकन करें, इस संबंध में मुझे यह कहना है कि मैं उक्त मामले में विवाचक के रूप में कार्य करने के लिए सहमत हूँ।

ह./-
(विवाचक)

[सं.एल-40011/17/95-आई.आर(डी.यू.)]
के.वी.बी. उन्नी, डेस्क अधिकारी

New Delhi, the 8th May, 1995

S.O. 1531 :—Whereas an industrial dispute exists between the management of Telecom Department Peddapalli and their workman represented by the All India Telecom Employees Union, Line Staff and Group D, Karimnagar;

And whereas, the said management and their workman, represented by All India Telecom Employees Union, Line Staff and Group D, have by written agreement under sub-section (i) of Section 10-A of the Industrial Dispute Act, 1947 (14 of 1947), agreed to refer the said dispute to arbitration and have forwarded to the Central Government a copy of the said arbitration agreement;

Now, therefore, in pursuance of sub-section (3) of Section 10-A of the said Act, the Central Government hereby publish the said agreement

AGREEMENT

(Under Section 10-A of the Industrial Disputes Act, 1947)

Between

Names of the Parties

Representing Employer Sri S Lingaiah SDOT, Peddapalli	Representing workman Sri A Rajamouli, Area Secretary, All India Telecom Employees Union, Karimnagar
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It is hereby agreed between the parties to refer the following dispute to the arbitration of Shri K Rama Krishna, Dy Chief Labour Commissioner (C), Bangalore

(i) Specific matter in dispute :	Alleged illegal termination of services of Mr. K Prasada Rao, ex-mazdoor, Peddapalli
(ii) Details of the parties to the dispute including the name and address of the establishment or undertaking involved	(1) Sub-Divisional Officer Telecom, Peddapalli, (2) Sri K Prasada Rao, ex-mazdoor

(iii) Name of the workman in case he himself is involved in the dispute of the name of the Union, if any representing the workman or workmen in question	Area Secretary, All India Telecom Employees Union, Karimnagar
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(iv) Total number of workmen affected or likely to be affected by the dispute	One
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(v) Estimated number of workmen affected or likely to be affected by the dispute	One
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We further agree that the decision of the arbitrator, Sri K. Rama Krishna, Deputy Chief Labour Commissioner (C), Bangalore, be binding on us.

The arbitrator shall make his award within a period of six months or within such further times as is extended by mutual agreement between us in writing. In case the award is not made within the period aforementioned, the reference to arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitration

On behalf of the management Sd/- Sub Divisional Officer, Telecom Peddapalli, Karimnagar District	On behalf of Union Sd/- Area Secretary, All India Telecom Employees Union, Karimnagar
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Consent of the Arbitrator

Please refer to your letter No L-40011/17/95-IR(DU) dated 14-3-95 addressed to ALC(C) Manherial and copy endorsed to me on the above subject and say that I agreed to act as arbitrator in the instant case

Sd/-
(Arbitrator)

[No L-40011/17/95-IR(DU)]
K.V.B. UNNY, Desk Officer

नई दिल्ली, 8 मई, 1995

का. आ. 1532 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार यूनाइटेड वेस्टर्न बैंक लि. के प्रबन्धन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बम्बई नं. 2 के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-5-1995 को प्राप्त हुआ था।

[संख्या एल-12012/39/91-आईआर बी-III/बी1]

पी. जे. माईकल, डेस्क अधिकारी

New Delhi, the 8th May, 1995

S.O. 1532.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby published the Award of the Central Government Industrial Tribunal, Bombay No. 2 as shown in the Annexure, in the industrial dispute between the employers in relation to the management of United Western Bank Ltd. and their workmen, which was received by the Central Government on 5-5-95.

[No. L-12012/39/91-JRB-III/BI]

P.J. MICHAEL, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 2

BOMBAY

PRESENT

SHRI S.B. PANSE

PRESIDING OFFICER

REFERENCE NO. CGIT-2/43 of 1993

(Old case No. CGIT/LC(R)(122)/91)

EMPLOYERS IN RELATION TO THE MANAGE-
MENT OF UNITED WESTERN BANK LTD.,
LATUR

AND

THEIR WORKMEN

APPEARANCES:

FOR THE EMPLOYERS: Mr. V.J. Majumdar
Advocate

FOR THE WORKMEN: Mr. A.V. Sathye
Advocate

Bombay, tee 18th April, 1995

AWARD

The Government of India, Ministry of Labour, New Delhi by its letter No. L-12012/39/91-I.R(B-3) dated 18-6-91 has referred to the following industrial dispute for adjudication. It is as under:—

1) SCHEDULE

“Whether the action of the management of United Western Bank Ltd., Latur in disallowing Shri A.S. Oak to work as Second Cashier and resultant withdrawal of the allowance is justified? If not, to what relief the workman is entitled to?”

2. In fact first the reference was made to the Central Government Industrial Tribunal, Jabalpur and later on at the request of the workman the reference was transferred to this Tribunal for adjudication.

3. Shri Anand Oak is an employee of the United Western Bank Ltd. since 1973. In June 1981 he was posted at the Latur Branch by the first party. On

3-4-89 the Branch Manager issued the letter to the workman and allotted him the work of Second Cashier. By another letter dated 7-8-89 the earlier order was confirmed. The post of Second Cashier is permanent post in the branch of United Western Bank Ltd. at Latur which was earlier enjoyed by another employee of the said branch Shri S.T. Deshpande who was promoted to the post of First Cashier w.e.f. 3-4-89.

4. The employee being the senior most among the employees of the Branch was allotted the work of Second Cashier and he was given the legal remuneration attached to it, i.e. the said post.

5. In violation of the principles of natural justice and the procedure requiring the fair play the First Party had issued a letter dated 20-6-90 asking the workman to discontinue the functions of second cashier and thereby he was deprived of his legitimate right to remain on the post of the second cashier attracting the monetary gain of extra allowance. The work of the second cashier was entrusted to the Junior clerk Shri V.G. Deshpande superseding the seniority of the workman which is in utter disregard not only to the principles of natural justice but also the practise and traditions followed by the Bank.

6. The workman submitted that the contention of the management that while giving the order of occupying the post of second cashier he was made to understand that this opportunity has been provided to him terminable at any time by subsequent order by the management and this was a contractual aspect of the service. It is submitted that this has no merit. It is prayed that the removal order of the from workman on the post of second cashier in the branch of United Western Bank, Latur dated 20-6-90 be declared as null and void, and the other consequential reliefs are claimed by the workman. The statement of claim was filed by the General Secretary Bank Employees Coordination Committee, Latur, by name Mr. Deshpande.

7. The Bank opposed the claim by its written statement exh. 10. It is contended that the reference which is made by the Central Government is not an industrial dispute within the meaning of section 2(K) of the Industrial Disputes Act of 1947 and as such the Tribunal has got no jurisdiction to entertain and adjudicate the referred issue. It is averred that the union which Mr. Deshpande is representing is a total stranger to the Bank and he has no right what soever to raise any dispute in connection with the employees of the Bank. It is averred that the Bank do not know the status/constitution/composition of the said union nor have recognised it as a body representing any of the employees of the Bank. It is submitted that the cause of the workman has been

espoused by a union which has absolutely nothing to do with the establishment from which the workman comes and therefore it is not an industrial dispute.

8. The Bank contended that the duties attracting the special allowance including that of a second cashier are entrusted to the employee only until further instructions and on its basis the workman cannot claim the right over it. It is asserted that the employee clerk was entrusted the said duties only until further orders. He accepted that order by giving an undertaking and he cannot claim any right over the special allowance. It is submitted that there is no ground to raise any industrial dispute. It is denied that the employee is the seniormost at Latur branch. It is submitted that under such circumstance as the Tribunal has no jurisdiction to decide the matter and it should be answered accordingly.

9. The issues that fall for my consideration and my finding thereon are as follows :—

Issue	Findings
1. Whether the dispute referred to for adjudication is an industrial dispute within the meaning of section 2(K) of the Industrial Disputes Act of 1947?	Reference is not an industrial dispute
2. Whether the action of the management of United Western Bank Ltd., Latur in disallowing Shri Oak to work as second cashier and resultant withdrawal of the allowance is justified?	Does not survive
3. If not, what relief the workman is entitled to?	Does not survive

REASONS

10. Shri A.S. Oak (exh. 19) was appointed as second cashier from 3-4-89. He was discontinued from that post from 20-6-90.

11. The workman admits that the Bank employees co-ordination committee, Latur is affiliated to all India Bank Employees Association. He is a member of the Bank employees committee, Latur. He further admits that except himself all other employees in their branch are the members of the United Western Bank Karamchari Singh. It is not in dispute that the Singh is a recognised union in the Bank. In other words it can be seen that the workman is the only member of the union called the Bank employees co-ordination committee, Latur. Shri Deshpande is the secretary of their union. He had filed a statement of claim in respect of Oak, the workman.

12. Mr. Majumdar, the learned advocate for the management argued what the workman is not represented by the union which is concerned with the management or the group of workmen. The dispute cannot be called as an industrial dispute under section 2(K) of the Industrial Disputes Act of 1947. To bolster up this submission he placed reliance on State of Punjab v/s. Gondhara Transport Company, AIR 1975, S.C. 531. In that case out of 60 workmen employed in a company only 18 were sponsored the cause of the dismissal and retrenched workmen and these 18 included thirteen dismissed workers of the Company. While deciding the matter THEIR LORDSHIPS have observed that the espousing of the cause of the workman was only by 5 workmen who were at a relevant time actually in the employment of the Company i.e. a proportion of 5 : 60. Such an espousal could not be considered to be by an appreciable or substantial body of workmen so as to constitute the dispute an industrial dispute. Hence there being no industrial dispute the reference made by the State Government was incompetent. Herein this case it can be seen that only a single workman has come before the Tribunal raising an industrial dispute. He is not represented by a group of other employees of the Bank or by concerned union but by a stranger. Relying on the above said authority it has to be said that the reference which was made by the Central Government was incompetent.

13. In another case the Bombay Union of Journalists v/s. The Hindu AIR, 1963, SC 313 THEIR LORDSHIPS have observed that "A dispute between an employer and an employee cannot per se be an industrial dispute, but it may become one if it is taken up by the Union or a number of workmen. The persons who seek to support the cause of a workman must themselves be directly and substantially interested in the dispute and this would depend on the facts and circumstances of each case. Persons who are not employees of the same employer cannot be regarded as so interested that by their support they cannot convert an individual dispute into an industrial dispute. In each case in ascertaining whether an individual dispute has acquired the character of an industrial dispute was taken up or supported by the union of the workmen of the employer against whom the dispute is raised by an individual workman or by an appreciable number of workmen." The ratio given in the above said authority is aptly applicable to the present set of facts.

14. Mr. Sathe, the Learned Advocate for the workman placed reliance on Premier Automobiles Ltd. v/s. Kamalakar Shantaram Vadke and others, 1975, 11, LLJ page 445. While deciding the matter THEIR LORDSHIP have observed that when a dispute is not an industrial dispute and where the remedy is not under the Industrial Disputes Act the

remedy is in civil court where the dispute relates to common or general law, the jurisdiction of civil court is alternative where a dispute relates to right or obligation under the Industrial Disputes Act only remedy is under the Act to get adjudicated. It is observed that if a dispute is an industrial dispute arising out of the right or liability under general or common law and under the Act, the jurisdiction of the Civil Court is alternative, leaving it to the election of the suit or concerned to choose his remedy for the relief which is competent to be granted in a particular remedy. Relying on the observation of THEIR LORDSHIPS it is argued that it was the Bank's liability to post the seniormost man to the second cashier post which carries special allowance. According to him it is the right of the workman who is seniormost to get that post. As this is so the present dispute is an industrial dispute. I am not inclined to accept the submissions made by the Learned Advocate. The facts of that case are quite different than the facts before me.

15. For all these reasons, it has to be said that the dispute which is raised by the Bank employees coordination committee, Latur cannot be said to be an industrial dispute within the meaning of section 2(K) of the Industrial Dispute Act and as such the reference is bad.

16. After coming to this conclusion infact it is not necessary to decide the other issues. But if the findings of the earlier issues are incorrect then it has to be said that the action of the management is not justified. It is because from the seniority list which is produced on the record, it clearly go to show that the workman Oak is above V.G. Deshpande at Latur branch at a relevant time. It is a common knowledge that the allowance carrying post are given to the seniormost man in the branch. This was also admitted by the witness of the management, Shri Joshi (exh. 21). It is tried to argue on behalf of the management that in view of the orders (exh. 3 & 4) issued by the manager the appointment was given to the workman as a second cashier until further instructions and not permanently. But there is nothing on the record to show that why the junior man to Mr. Oak was posted in place of Oak. The management can do so only if exigency demands it. Those exigencies have to be brought on the record but they have not done so. Under such circumstance it has to be said that the action of the management is unjustified. Naturally the consequences of this is that the workman is entitled to the special allowance since the day it was withdrawn. But as I have come to the conclusion that the reference is not

competent on that basis. I pass the following order:—

ORDER

1. There being no industrial dispute, the reference made by the State Government is incompetent.
2. no order as to costs.

S.B. PANSE, Presiding Officer
18-4-95

नई दिल्ली, 8 मई, 1995

का. आ. 1533 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इलाहाबाद बैंक के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-5-95 को प्राप्त हुआ था।

[संख्या एल-12012/682/86/डी-2(ए)—आई आर बी-2]

वी. के. शर्मा, डेस्क अधिकारी

New Delhi, the 8th May, 1995

S.O. 1533 :—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Allahabad Bank and their workmen, which was received by the Central Government on 8-5-95.

[No. L-12012/682/86-DII(A)/IR(B-II)]

V.K. SHARMA, Desk Officer.

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT PANDU NAGAR : DEOXI
PALACE ROAD, KANPUR

Industrial Dispute No. 163 of 1987

In the matter of dispute

BETWEEN :

Sri Bhola
C/o Dr. P.C. Bajpai
990-Block 'Y'
Kidwai Nagar,
Kanpur.

AND

The Dy. General Manager,
Allahabad Bank,
Hazratganj.

AWARD

1. Central Government, Ministry of Labour, vide its Notification No. L-12012/682/86-D. II(A) dt. 10-12-87, has referred the following dispute for adjudication to this Tribunal :—

"Whether the action of the management of Allahabad Bank in relation to their Allahabad City Office Branch in

terminating the services of Shri Bhola, S/o Sri Kalika, Temporary Peon-cum-Farrash w.o.f. 30-4-82 is justified? If not, to what relief is the workman concerned entitled?

2. The instant case was fixed for workman's evidence on 26-4-95, and to this effect notice was sent to the workman on 7-3-95 by the Tribunal but despite that neither the workman appeared nor filed an evidence in support of its claim petition. It therefore, appears to me that the workman is not inclined to prosecute in his case any more before the Tribunal.

It is, therefore, held that the workman is not interested in contesting his claim and as such he is entitled to no relief.

4. Reference is answered accordingly.

B.K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 9 मई, 1995

का. आ. 1534.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. डी. ओ. (टेलीग्राफ) के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-5-95 को प्राप्त हुआ था।

[(संख्या एल-40012/25/93-आई आर (डी ओ)]

के. वी. बी. उण्णी, डैस्क अधिकारी

New Delhi, the 9th May, 1995

S.O. 1534 :—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Kanpur as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of SDO (Telegraph) and their workmen, which was received by the Central Government on 5-5-95.

[No. L-40012/25/93-IR(D.O.)]

K.V.B. UNNY, Desk Officer.

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
CUM-LABOUR COURT PANDU NAGAR DECKI
PALACE ROAD, KANPUR

Industrial Dispute No. 163 of 1987

In the matter of dispute

BETWEEN :

Sri Naseem
S/o Sri Liyakat Ali
Village Ungepur
Post Office Salarpur
District Pratapgarh

AND

Sub Divisional Officer
Telecom Sultanpur.

AWARD

1. Central Government Ministry of Labour vide its Notification No. L-40012/25/93-I.R. (D.U.) dated 29-6-94 has

referred the following dispute for adjudication to this Tribunal :

Whether the action of SDO (Telegraph), Sultanpur in terminating the services of Sh. Naseem S/o Sh. Liakat Ali casual labour w.o.f. 1-8-89 is legal and justified. If not, what relief he is entitled to?

2. In the present case despite issue of various notices to the concerned workman neither he appeared nor any claim statement was filed on his behalf.

3. It therefore appears to me that the concerned workman is not inclined to prosecute his case.

4. Therefore, in view of the above, it is held that the workman is not interested in prosecuting his case and reference is answered in negative against the concerned workman.

B.K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 10 मई, 1995

का. आ. 1535.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पाकुर कारिस् उन्तार एसोसियेशन के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं.-1, धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-5-95 को प्राप्त हुआ था।

[संख्या एल-29011/2/90-आई आर (मिस)]

के. वी. बी. उण्णी, डैस्क अधिकारी

New Delhi, the 10th May, 1995

S.O. 1535:—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, (No. 1), Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Pakur Quarries Owner's Association and their workmen, which was received by the Central Government on 9-5-95.

[No. L-29011/2/90-IR (Mis)]

K.V.B. UNNY, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. 1., DHANBAD

In the matter of a reference under section 10(1)(d)(2A) of the Industrial Disputes Act, 1947.

Reference No. 2 of 1992.

Parties :—Employers in relation to the management of Pakur Quarries Owner's Association.

AND

Their Workmen.

Present : Shri P.K. Sinha,
Presiding Officer.

Appearances :

For the Employers : Shri J.P. Singh, Advocate.
For the Workmen : None.
State : Bihar
Industry : Quarries.

Dated, the 28th April, 1995.

AWARD

By Order No. L-29011/2/90-IR(Misc.) dated 7-1-1992 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Is the demand of the Union for increase in the piece rated daily wage by 50% of the existing wage rate justified. If so, what should be the increase?"

2. Sri J.P. Singh, Advocate, appearing on behalf of the management submitted on 27-4-95 that despite several adjournments the sponsoring Union had not adduced any evidence. Sri D. Mukherjee and Sri K.K. Chakravorty were the persons authorised to appear on behalf of the sponsoring Union and both were present on that date. I find that by order dated 12-9-94 the sponsoring Union was given a last chance to adduce evidence. It did not bring any witness on the next two days though it is fact that on those two days the Presiding Officer was not present. Because of absence of the Presiding Officer the case came up-to-date.

3. On being asked Sri D. Mukherjee submitted that he had sent several communications to the concerned Union to contact him for adducing evidence, but the sponsoring Union had not responded, hence he was unable to adduce evidence.

4. Under such circumstance there is no need to continue this reference case which is of the year 1992, particularly when the sponsoring Union appears to have lost interest in this reference.

5. Therefore, I render a 'no dispute' award in the present reference.

P.K. SINHA, Presiding Officer.

नई दिल्ली, 10 मई, 1995

का. आ. 1536.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार यूको बैंक के प्रबन्धतंत्र के संबंध में नियोजकों और उनके कर्मचारों के बीच अनुबंध में निहित औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण सं. 2, धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-5-95 को प्राप्त हुआ था।

[संख्या एन-12012/97/93/आई. आर. (बी.-2)]

वी. के. शर्मा, उस्क अधिकारी

New Delhi, the 10th May, 1995

S.O.1536.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Uco Bank and their workmen, which was received by the Central Government on 10-5-95.

[No. L-12012/97/93-IR (B.II)]
V.K. SHARMA, Desk Officer

ANNEXURE
BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL (NO. 2) AT DHANBAD

PRESENT

Shri D.K. Nayak
Presiding Officer

In the matter of an Industrial dispute under Section 10(1)(d)
of the I.D. Act., 1947

REFERENCE NO. 130 OF 1993

PARTIES: Employers in relation to the management of
Uco Bank and their workmen.

APPEARANCES:

On behalf of the workman : Shri B. Prasad,
State Secretary,
Uco Bank Employees
Association

On behalf of the employers: Shri S.C. Sarkar,
Dy. Chief Law Officer.

State : Bihar. Industry : Banking.

Dated, Dhanbad, the 28th April, 1995.

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-12012/97/93-IR. B.II dated the 2nd September, 1993.

SCHEDULE

"Whether the action of Uco Bank of India in terminating the services of Shri Surendra Prasad Yadav is justified ? If not, what relief, he is entitled to ?"

2. To meet the aforesaid reference W.S. and rejoinder by the management and the union have been filed on different dates stating their respective cases in order to adjudicate the point in reference.

3. The concerned workman stated that he had joined in the services in Uco Bank at Exhibition Road, Patna branch as temporary Peon 1-5-86 @ Rs. 10/- per day and he worked there from 1986 to 1987 and his daily wage was Rs. 12/- per day and payment was made on weekly basis and he had to work from 10.00 A.M. to 6 P.M. and in that manner he worked from 1-5-86 to 16-11-88 and his total working days was 940 days and the details of the work done in different years have been stated in the following manners.

Year	No. of days worked
1986	245
1987	365
1988	330
<hr/>	
940 days	

The further case of the workman is that he had to carry token scroll books, ledgers, registers including the work of cleaning tables, chairs and other sundry work and also to serve water to the members of the staff and customers. It is stated further that he was sacked from the job on and from 17-11-88 by the management without assigning any reason nor serving any notice and paying any notice pay. According to him he completed the work of 940 days in the last year and thereby he is entitled to get the job being regularised as per agreement. But he failed to get himself absorbed on filing application even disobeying the term of agreement entered between different union and the management on 12-10-89. The matter was brought to the notice of the ALC(C) Patna and as nothing was done this present reference arose challenging the refusal of regularising him and absorbing in the work as per agreement and rules of the Industrial Disputes Act with a prayer to regularise him by way of reinstatement with full wages and appointing him in the minimum scale of pay of a subordinate staff as per with regular staff.

4. The management in its W.S.-cum-rejoinder have stated that the concerned workman engaged during the years 1987 and 1988 as casual worker for temporary periods at Patna branch on payment of wages on vouchers for the period of his work and his work was only to serve water to the members of the staff and the customers as and when required. Further case is that the concerned workman was found capable of preparing tea and as no job was given to him on his approach the Zonal Office of the Bank provided him space within the bank compound to enable him to prepare and supply of the same to the staff customers on requirement. It is stated further that the said worker is running the said business from 1989 on the help of present management as stated earlier. As the concerned workman was not such staff who fall within the ambit of the agreement entered between the management and the union dt. 12-10-89 and as there was no permanent vacancy, the question of absorbing him who was nothing but a Water boy does not arise and thereby he is entitled to get no relief as prayed for. In the rejoinder the figures given in the W.S. of the workman as his working days have been strongly denied and it is also denied that he ever put 240 days of continuous service in 12 calendar months and it is also denied that he used to perform the work of carrying token, scroll books, ledgers etc. including the work of cleaning the furniture too. It is denied that the was ever workman under the management or he was terminated with effect from 17-11-88 and the hours of work as stated in his W.S. It has also been denied by the management that it is a question of retrenchment or the termination within the ambit of I.D. Act nor the management is required to follow the provision of Section 25F of the I.D. Act as alleged and lastly it is stated that no provision of the I.D. Act, 1947 is applicable in the present case and the concerned workman is not entitled to get any relief.

5. In the rejoinder the concerned workman has repeated the same story which was stated in his W.S. filed earlier. Only he has stated that the concerned workman worked as temporary Peon on daily wages basis from 1-5-86 to 16-11-88 without any interruption and thereby he is entitled to the benefit of the terms of settlement dt 12-10-89 which is accepted.

6. With reference to the W.S. and the rejoinder it is not disputed that the concerned workman worked in the said Bank for some period as Water boy and in the circular or the agreement which has been referred by both the parties bearing circular No. CHO/PAS/10/89 dt. 19-10-89 on the basis of the terms of that settlement dt. 12-10-89 entered between the management and the different union. It is also established fact that the Water Boy is not entitled to get any relief pursuant to the said agreement.

1198 GI/95-10.

7. Accordingly it was argued by the management through their Dy. Chief Law Officer Shri S.C. Sarkar that this workman was nothing but a Water boy and he was not entitled to get any benefit of that agreement and it was added further that as he was not permanent employee of the management there was no question of termination and the reference whether termination of the management was justified does not call for any action.

8. It is needless to say that the concerned workman admittedly used to work in the Bank. The moot question is whether he used to work as Water Boy only or he had to work like Peon as stated in his W.S. To adjudicate the said point we have to rely upon the oral evidence as because in this type of case there is little scope of getting any documentary evidence.

9. The management has examined Shri Shyam Bihari Prasad as MW-1 who is Manager of Uco Bank, Ranchi at present and who was posted at Patna main branch from 1987 to 1988. He had deposed that he knew the concerned workman and also he knows him. According to him he sells tea from the private canteen situated within the compound of Uco Bank. At the same time he had deposed that the concerned workman is to work as Water Boy during the period from 1987 to 1988 September and thereafter he left the place so he cannot tell what work the concerned workman did on his departure. According to him no payment was made to him for Sundays and holidays. In cross-examination in which my attention was drawn it appears that though the person is appointed Water boy at the time of payment vouchers are prepared sometimes as Coolie and sometimes as Water boy and also sometimes in other capacity. He has also proved two vouchers Ext. W-1 and W-2. In his evidence it also transpires that no Canteen has been given to any other person by the Bank on rental basis upon which much argument was advanced by the Dy. Chief Law Officer Mr. Sarkar for the Bank management.

10. Now I come to the evidence of the concerned workman who has stated as per his W.S. that he used to bring out ledgers to go to Post Office, correspondence work to visit R.B.I. along with supply of tea and water. He has also stated that he used to get payment on daily wages basis through vouchers @Rs. 10/- per day and then @Rs. 12/- per day. From his evidence it transpires further that after his discharge in the said branch one person was appointed as Peon as against permanent vacancy. Also I find from his statement that after settlement as referred to above he applied for absorbing him against permanent vacancy but refused. In cross-examination it was suggested that he worked as a Water Boy only and he had denied the suggestion and had also denied that at present he is selling tea in the Zonal Office.

11. The Dy. Chief Law Officer Shri Sarkar for the management argued that it is too big a pill to swallow that a person who used to earn a lot of money after selling tea he would work @ Rs. 10/- or 12/- per day and on casual basis.

12. Though apparently it appears that there is force in the argument so far financial matter is concerned but we should not forget that if a person gets a job in the Bank or any concern of like nature at a fixed salary he would prefer the job or the employment in comparison with the business as canvassed by Shri Sarkar.

13. To meet the argument of the management Shri B. Prasad, representing the work man drew my attention to the report of the management through authorised person Shri

L.S. Gopal Krishnan attached to the branch concerned which has been marked as Ext. W-3. This is the check list to be prepared separately for each applicant (casual worker) for absorption in the Bank's subordinate cadre. In the said Ext. W-3 it appears that the report was sent in respect of Shri Surendra Prasad Yadav, who is the concerned workman from the Branch Office Exhibition Road Patna within Bihar stating that his date of birth is 2-3-68 and it was within the limit as explained in para-5A of the letter. His initial appointment was as Water Boy for 3 months after that he was engaged for Peon's job and on the date of report that the said incumbent was not in the job at the relevant moment and in answer to Item No. 5 it appears that the applicant completed a minimum of 240 days work in 3 years period 12-10-986 to 11-10-1-89 (both days inclusive) and this report was sent on 15-4-91 under the signature of Shri L.S. Gopal Krishnan who was the verifying Officer for the said purpose. I think that this Ext. W-3 gives a death blow to the argument of Shri Sarkar representing the management that the workman concerned was a Water Boy and the agreement referred to (admitted one) between the Bank and different unions entered on 12-10-89 published by Circular No. CHO/PAS/16/89 dated 19-10-89 that those who have been engaged as Water Boy on daily wages would not be eligible for being considered for absorption under this settlement. On the other hand the said report marked Ext. W-3 clearly goes to show that concerned workman was engaged as Peon though his initial appointment was as Water Boy and he has completed 240 days work as per agreement and thereby he is eligible for consideration to be empanelled against the permanent vacancies immediately available in the Bank.

14. It was argued by Shri Sarkar, Dy. Chief Law Officer of the management that as there was no appointment of the concerned workman Shri Surendra Prasad Yadav, the question of terminating his services does not arise.

15. Technically I agree with the contention of the management as submitted by Shri Sarkar but at the same time I cannot ignore the settlement and the terms and conditions mentioned therein along with Ext. W-3 and thereby this Tribunal is competent enough to give an Award in the following tune by disposing of the reference in the light of the said observation.

16. In view of the materials on record and the settlement along with Ext. W-3 it appears to be crystal clear that the concerned workman is entitled to the terms and conditions of the settlement entered between the Bank and the different union by Circular No. CHO/PAS/16/89 dt. 19-10-89 thereby not considering his application for absorbing him as against permanent vacancy after regularising his work was unjustified and the concerned workman is entitled to get such relief as prayed for. Thereby though strictly speaking this Tribunal cannot observe that the termination of the concerned workman whether was justified or not but it can be said in other words that when considering his prayer for absorbing him as per agreement and circular as referred to the action taken by the management was unjustified and he is entitled to be regularised in terms of the settlement after empanelling him with a direction to absorb him maintaining his seniority against vacancies immediately available in the Bank and to reinstate him as a casual worker if the permanent vacancy be not available at present under the present terms and conditions of the casual workers. However, as he was not a permanent worker so this Tribunal refrains from giving any back wages but a specific direction is given to the management that within one month from the date of publication of

the award after empanelling him he should be absorbed against permanent vacancy in the subordinate cadre under the terms and conditions available to him and if no such permanent post be available he should be reinstated as a casual labour on payment of the wages to which a casual labour is entitled to according to the terms and rules prevails in the Bank at present. At the same time a direction is given that for the matter of empanelment and absorption his seniority should be fixed up after considering the first appointment which is referred to in Ext. W-3 for the purpose of his regularisation and absorption as against permanent vacancy.

This is my Award.

D.K. NAYAK, Presiding Officer

नई दिल्ली, 10 मई, 1995

का. आ. 1517.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुगुण में, केन्द्रीय सरकार केनरा बैंक के प्रबन्धन के संबंध में निर्यातकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, अलापु झा के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-5-95 को प्राप्त हुआ था।

[संख्या एन-12012/391/91-आई.आर. (बी.-2)]

वी. के. शर्मा, डेस्क अधिकारी

New Delhi, the 10th May, 1995

S.O. 1537.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Alappuzha as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Canara Bank and their workmen, which was received by the Central Government on 10-5-95.

[No. L-12012/391/91-IR(B-II)]
V.K. SHARMA, Desk Officer

ANNEXURE
IN THE COURT OF THE INDUSTRIAL TRIBUNAL,
ALAPPUZHA,

(Dated this the 10th Day of April, 1995).

PRESENT :

SHRI K. KANAKACHANDRAN,
Industrial Tribunal

I.D. No. : 7/92

BETWEEN

The Management of Canara Bank, Panampilly Nagar
Branch, Ernakulam.

AND

The workman of the above concern L. Ravendran, Peon Canara Bank, Panampilly Nagar Branch, Ernakulam represented by the Assistant Secretary K.V. George, Canara Bank Staff Union (Regd.), 41/1757, Ernakulam North P.O Kochi-682018.

Representations :—

Sri M.C. Sen, Advocate, C.S. Menon Colony, Cochin-682016.	} For Management
M/s. H.B. Shenoy & G.P. Joy, Advocates, Cochin.	} For Union

AWARD

1. The Government of India by the order No. 12012/391/91-IR (B-II) had referred the following issues for adjudication:—

Whether the action of the management of Canara Bank, in dismissing the service of Shri L. Raveendran, Peon Canara Bank, Panampilly Nagar Branch, Ernakulam on the allegation of mis-appropriation is justified? If not, to what relief is the workman entitled to?"

2. In the statement of claim filed by the Union the service details of the workman are given. He joined the services of the Bank as a Peon in the year 1978. While he was working so, he was charged sheeted on 3-1-1989 alleging misconduct of causing damages to the property of the Bank and of doing acts prejudicial to the interest of the Bank which were of within the meaning of Chapter XI, Regulation 3, Clause (j) and (m) of the Canara Bank Service Code. The allegation against him was that he misappropriated a sum of Rs. 1,847- being the proceeds of a Treasury Cheque No. A-15007 dated 18-8-1988 favouring Babu Rajan and drawn on Government Treasury, Ernakulam which was handed over to him for collection. Pending enquiry and framing of charge sheets the workman was suspended from service. A domestic enquiry was ordered and one L. Simon Dod Singh, Accountant of Circle Office, Trivandrum was appointed as Enquiry Officer. The Enquiry Officer after conducting enquiry submitted his report on 28-9-1989 with the finding that the workman was guilty of the charges alleged. He recommended imposition of the punishment of dismissal. It is alleged in the claim statement that the enquiry was conducted in violation of the principles of natural justice. The findings were perverse. The Enquiry Officer recommended punishment arbitrarily and by exceeding the authority given to him. The Deputy General Manager of the Bank by agreeing with the Enquiry Officer's findings and recommendation had imposed the punishment of dismissal. Although the workman had preferred an appeal to the Appellate Authority viz., The General Manager of the Bank at Head Office, Bangalore, the punishment awarded was confirmed. On the merit of the charges it is the case of the Union that the charges levelled against him will not fall within any of the listed or specified misconducts. The charges were very vague and general in nature. The action of the management is vindictive and mala fide. Therefore plea of the union is for setting aside the punishment of dismissal.

3. In the counter statement filed by the management the allegations raised in the claim statement are refuted. There were complaints earlier about the dishonouring of cheques issued by the workman. There were several instances where attachment orders were issued by Co-operative Societies from where he had borrowed money and failed to repay. The workman is governed by the bipartite settlement and the Canara Bank Service Code and the disciplinary proceedings initiated against him were strictly in accordance with the provisions contained therein. The conducting of the enquiry was strictly by keeping the principles of natural justice. The

findings contained in the enquiry report were considered by the disciplinary authority and only then after punishment of dismissal was awarded. Regarding the misconduct committed by the workman it is stated that there is admission by the workman that he had received the payment from Treasury on 7-9-1988 and that is borne out from the original of the cheque pertaining TOSC 1402 which is still with the Accountant General. The allegation by the workman that material documents were suppressed is also denied by the management. According to them the admissions made by the workman were voluntary and there was no threat or compulsion from any quarters. Therefore the punishment awarded was fully justified and there is no need for interference by this Tribunal.

4. Since various allegations were raised by the union against the manner in which the domestic enquiry was conducted and the same were refuted by the management, the question of validity of the enquiry was treated as a preliminary issue and both parties were permitted to adduce evidence. Both workman and the Enquiry Officer tendered oral and documentary evidence. After considering the evidence and arguments of both sides a detailed preliminary order was passed by this Tribunal on 22-7-1994. I shall extract hereunder the full text of the order.

PRELIMINARY ORDER

- (1) An industrial dispute on the dismissal of a Peon viz., L. Raveendran who was working in the Panampilly Nagar Branch (Ernakulam) of the Canara Bank is the issue referred for adjudication by the Government of India.
- (2) In the claim statement filed by the union a preliminary issue has been raised regarding the validity of the enquiry. It is alleged that the domestic enquiry conducted against him was in clear violation of the principles of natural justice. The workman was permitted to be defended in the enquiry only by an employee of the Bank or a representative of a Registered union of Bank employees. On the other hand the Presenting Officer for the management Bank was a Senior Officer of the Bank working in the Circle Office, Trivandrum who was well versed in the enquiry proceedings. The charge sheet was issued to him under the Canara Bank Service Code which was of no application and proceeding could have been initiated only in terms of the provisions contained in bipartite settlement in force. The misconduct alleged against him will not come under any of the specified misconducts. The Enquiry Officer did not conduct a proper enquiry and he acted more as a Prosecutor with the anxiety to fix charges on the workman. Three vital documents viz., TOSC Register, Cheque Return memo and Token Movement Register which were in the possession of the management were not produced by the management although specific request was made by the workman at the time of enquiry. The non-production of either the original or authentic copies of such vital documents was a serious lapse on the management's side. On the other hand some of the documents produced by the management were marked illegally by the Enquiry Officer in violation of the principles of natural justice. Regarding the finding it is stated that the findings recorded are perverse and not supported by any legal evidence.

- (3) The allegation raised against the enquiry by the union was rejected by the management in the statement filed by them. According to them the workman was dishonest in his dealings and many a time he was caught for his lapses. The Canara Bank Service Code has been framed incorporating the provisions of bipartite settlement and award. There is no inconsistency at all in any of the provisions. In the appointment order given to the workman it was clearly stated that the service conditions in his case are governed by Canara Bank Service Code. The allegation that the workman was permitted to seek the assistance of a Lawyer was turned down by the Enquiry Officer is also disputed by the management. According to them no such request has been made by the workman. In fact he was defended in the enquiry by one K.P. Sethumadhavan, who is the Vice President of the Canara Bank Staff Union. The allegation of serious infirmities of the enquiry is also disputed by the management. As per the Service Code, before proposing the punishment after conducting enquiry, an opportunity is to be given to the delinquent workman and only in accordance with the Service Code and provisions of bipartite settlement the Enquiry Officer proposed the punishment. At no occasion the workman objected the appointment of A. Rajan as the Presenting Officer for the management. Regarding the non-production of TOSC Register, it is the stand of the management that in view of the admission by the workman that the concerned treasury cheque was entrusted to him for collection, there was absolutely no need to produce the same. Moreover the receipt of money from the Treasury on 7-9-1988 itself was also admitted by the workman. Therefore there was no need at all for producing the token movement register. Original of the treasury cheque was demanded by the workman for production at the time of enquiry. Since it was not in the custody of the management and it was only with the district Treasury, production of the same as demanded by the workman was not possible. However, a photocopy of the same which was issued from the Treasury was produced at the time of enquiry.
- (4) On the preliminary issue both sides were permitted to adduce evidence. On the side of management the Enquiry Officer was examined as MW1 and entire enquiry files were marked as Ext. M1. He has stated that all original documents were filed by the management except document Nos. 3 and 5. Regarding the non-production of original it is stated by the Enquiry Officer that the originals were in the custody of other establishments. It is admitted by him that workman had requested for the production of TOSC Register, Token Movement Register and Return Memo Register for the purpose of Cross-examining the management witness.
- (5) On the side of the union the employee who had assisted the delinquent workman at the enquiry was examined as WW1. He is B. Com. Degree holder and also an office bearer of the union. According to WW1, who actually handled the Treasury bills on each day will be known only from the TOSC Register. It is also stated by him that permission of the management Bank was sought for the perusal of the originals of the documents which are in custody of the Bank and such a permission was sought on account of the non-production of the same by the management. However it is conceded by him that such requests were made orally.
- (6) I perused the enquiry file Ext. M1. The charge levelled against the workman is that a treasury cheque for Rs. 1847/- in the name of one Babu Rajan drawn on the Government Treasury, Ernakulam was handed over to the delinquent for collection on 3-9-1988. Without collecting the proceeds on that day, he brought the token bearing the No: 1646 from the State Bank of Travancore, Ernakulam. Subsequently on 7-9-1988 he brought back the cheque on the ground that he could not collect the cash since there was no endorsement in the cheque. After making endorsement, cheque was entrusted to him against for collecting the cash. Although cash was collected on that day itself, same was not remitted in the Bank and instead he had given an impression that the amount had been credited in the Bank account maintained by the Management Bank at the State Bank of Travancore, Broadway, Ernakulam. But no counter foil of such remittance was furnished in the Bank. After several days when enquiry was made it was found that no amount was deposited in the State Bank of Travancore Broadway, Ernakulam after receiving a sum of Rs. 1,847/- on 7-9-1988 itself. The management alleged it is a case of misappropriation. When that misappropriation was dictated he started remitting of the amount in instalments and the first remittance was on 6-10-1988.
- (7) The case of the management is that after collecting the amount covered by the Treasury cheque, the workman retained the amount with him instead of depositing the same in the State Bank of Travancore wherein the management Bank had account. The workman's case is that he is not the person who actually received the cash. In order to vindicate his stand, he insisted for the production of certain registers at the time of domestic enquiry. Ext. M3 marked at the enquiry is the photocopy of the relevant cheque. The photocopy of the reverse side of the cheque was also produced which contained the endorsement regarding the receipt of money by the workman on 7-9-1988. He had put his signature after receiving the amount. For the confirmation of this transaction, the District Treasury Officer, Ernakulam was addressed by the management through Ext. M10 letter and in the reply given receipt of cash on 7-9-1988 was confirmed but the name of the person who actually received cash on 7-9-1988 was not stated.
- (8) Ext. M. VIII is the letter given by the workman to the Manager of the Bank on 17-10-1988 and it is in his own handwriting. There is no dispute regarding the genuineness of this document. It is useful to extract the full text of that letter.

*Matter in Malayalam Language--NOT PRINTED.

Subj: TOSC No: 1401 Rs. 1,847/- C. No. 15007/18-8-88
Baburaj

- 9) From the above letter it is evident that the workman had received cash on 7-9-1988 and he remitted a part of that amount only on 6-10-1988. There was also an assurance by him to remit the balance amount without much delay. He also tendered apology for the lapse on his part. It appears, after all these developments a memo of charge was issued to the workman.
- (10) In view of the clear admission by the workman that he had received cash on 7-9-1988 and only on account of his lapse, remittance could be made only after a month, the non-production of some of the documents which are in the custody of the management and District Treasury was in no way prejudicial to the workman. If there was no such admission on the part of workman, of course, the non-production of those documents would have been very significant and that would have vitiate domestic enquiry proceedings. Therefore on this feeble technical ground, the domestic enquiry cannot be assailed.
- (11) This Tribunal had occasion to consider on merit similar allegations on the conflicting nature of Canara Bank Service Code and the provisions of bipartite settlement. It was held by this Tribunal that in so far as the domestic enquiry proceedings are concerned, there is nothing as conflicting or inconsistent
- (12) In the result I hold that the enquiry was validly held and no prejudice was caused to the workman. However for a reappraisal of the propriety of the punishment imposed, some more particulars are required. The parties in this dispute are at liberty to adduce additional evidence on the limited issue regarding the exact nature of banking transaction when a treasury cheque is presented for collection in a Bank. What exactly the mode of transaction, once cash is received by the sub-staff whether it is his option to bring cash to the Bank or deposit the same in another bank wherein drawee bank has account, whether without the involvement of other officials of the drawee bank how long a sub-staff can retain the money, what are the entries to be made in the bank registers regarding the encashment of Treasury Cheques-these are essentially required to ascertain whether the delinquent had played game alone or with the connivance of some others also. For resorting to this unusual course, this Tribunal will have authority based on the decision of the Supreme Court, in *J.K. Agarwal Vs. Seed Development Corporation* (AIR 1991 SC 1221).
- (13) This industrial dispute shall be posted on 12-8-1994.
6. In view of the pronouncement that the enquiry was validly conducted by the management now the question to be one into is whether the management was justified in awarding punishment of dismissal on the basis of materials available on record.
7. The workman's specific case is that although he was entrusted with the cheque for encashment from the District

Treasury, Ernakulam on 3-9-1988, when he went there for collection it was informed that for want of endorsement, the cheque could not be encashed. He brought back the instrument to the Bank. His case is that when the cheque was represented again later on 7-9-1988, he was not the sub-staff who was authorised to receive the payment and therefore there was no occasion for him to receive the cash.

8. The entire enquiry files were produced by the management and that will contain all the documents relied on by the management.

9. By availing the opportunity given in the preliminary order, both sides adduced evidence. On the side of the management one witness was examined as MW2. He is an Officer working in the Panamilly Nagar Branch of the Management Bank. He had explained in details the nature of transaction with reference to a treasury cheque. According to MW2, when an instrument is presented to the Treasury for encashment, there will be specific instruction as to whether the amount should be collected in cash or whether the amount should be transferred and deposited in any of the bank accounts maintained by the management Bank. There will be a TOSC Register and in that everything will be recorded. In that Register, to which treasury the instrument was sent and with whom it was entrusted would be recorded. It will have to be signed by the Supervisor concerned. The TOSC Register will contain the name of the staff and the signature of sub-staff who carries the instrument for collection. Once the instrument is presented, whether it is passed or not, a token will be given. The token will be brought back by the concerned employee or sub-staff to the Bank and the token number will be entered in the TOSC Register. The token will be in the safe custody of concerned officer. On the next day when a person is deputed for encashment, the details of all matters connected with it will be recorded in the TOSC Register again. MW2 has stated that in the TOSC Register maintained in the Panamilly Nagar Branch, there is an entry on 1-9-1988 showing that the disputed cheque was sent up for collection to the Treasury. But there is no entry regarding the person who was entrusted with the instrument and the date on which cash was received. Most of the details mentioned by MW2 are absent in Ext. W3 TOSC Register produced by the management. Besides that there is a Token Movement Register also. That Token Movement Register for the relevant period was produced and marked as W4 and that does not contain anything regarding this particular transaction. More or less on identical terms, the witness examined on the side of workman had also tendered evidence. WW2 who worked in the OSC Department (outward site for collection) has also stated that whenever a treasury bill or cheque is received, it will be entered in the TPSC Register in serial order. Before sending the same to the Treasury, the Bank will make an endorsement regarding to whom payment should be made. Whatever be the mode of transaction, definite instructions will be there. If the cheque or bill is passed, token will be given unless payment is made on the same day. Even if the amount is deposited in the account of the Bank as per the instruction, then also token will be given. The details will be recorded in the TOSC Register itself. Such recording of details are to be made by the section-in-charge. If token is entrusted to any staff for receipt of the payment, the name of that staff will be recorded in the TOSC Register. According to WW2 it is not necessary that the same person who brought the token from Treasury would be sent on the next day also. Both in the Token Movement Register and TOSC Register, the signature of the person who handles the token will be there. If a sub-staff is entrusted with the cash collection work, he will be given conveyance charge also.

10. After perusing the TOSC Register (Ext. W3) it is stated by WW2 that the instrument in question was presented to the Treasury on 3-9-1988 and the same was returned without passing on 3-9-1988. From that document (Ext. W5) at page 20 it can be seen that the very same instrument was re-presented on 8-9-1988. After going through Ext. W4 Token Movement Register he deposed that there is no indication regarding this particular transaction in it. In page 44 of Ext. W4 it can be seen that there were no transactions in between 8-8-1988 and 11-10-1988. He has further deposed that it is the duty of the concerned Accountant to make necessary entries in the Token Movement Register.

11. The management's case is that the payment was received by the workman on 7-9-1988. Very strangely there is an endorsement in page 30 of Ext. W5 that the returned cheque was re-submitted on 8-9-1988. If that be the position, it was impossible to receive the payment on 7-9-1988. If the entire transaction was in the manner as stated by the management, such an entry should not have been there in Ext. W3. It appears that management is completely blank about the real state of affairs concerning the transaction. In this connection it is relevant to note the contention of the workman that the photocopy of the reverse side of the cheque produced and accepted at the time of enquiry as evidence might be relating to some other cheque. Such a contention cannot be totally ignored because even as per the management's own register Ext. W3, the instrument was represented for payment on 8-9-1988. For any kind of corroboration, in the Token Movement Register there is no entry regarding this transaction. Because of these inadequacy of details, the probability of involvement of other officials in this transaction cannot be ruled out. In order to clear the doubts felt on some other possibilities, in the preliminary order it was thought of giving more opportunity to the management to establish their case in a more cogent manner. The documentary evidence adduced by the management will only show that they had completely failed to establish the case against the delinquent. Their only trump card is the admission letter given by the workman which was marked at the time of enquiry. It is the case of the workman that he had written such a letter on the basis of persuasion by other staff and that was with the hope that there would be no further precipitation of the issue. According to him, in order to save others, he had given such an admission letter. In this connection it is relevant to note the probabilities pointed by the learned counsel appearing for the union. It was submitted that at the behest of senior officials, these type of manipulations are being done in various Banks and sub-staff are made instrumental in carrying out this sort of manipulative transactions. When we go through the evidence of WW2 and MW2, it can be seen that whenever a Treasury Cheque or bill is accepted for encashment, a lot of entries are to be made in TOSC Register and Token Movement Register and those entries are not at all made by the concerned sub-staff who is carrying the instrument for encashment. Making of entries in the TOSC Register and Token Movement Register are the duties of the Section-in-Charge and Accountant. It is very surprising to note that in the Token Movement Register there is nothing regarding this transaction. When the management says that the receipt of cash by the sub-staff was on 7-9-1988 then there should not have been an entry in the TOSC Register regarding the resubmission of the very same instrument on 8-9-1988. In view of this doubtful nature of transaction, the only conclusion possible is that there might have been the involvement of the delinquent workman also in this irregular transaction. The fact that the delinquent had initially carried the instrument and brought the token to the

Bank are not in dispute. What happened later is not borne out from any of the Bank's records. If there was proper maintenance of TOSC Register and Token Movement Register, there would have been no difficulty in arriving at a proper conclusion. Therefore, according to me, the irregularity committed was not the result of an individual manipulation but it was a collective one. Possibly in order to save the faces of others also, the delinquent might have given such an admission letter basing on the assurance that nothing would happen to him. So long as the misconduct alleged against the workman is a collective misconduct with the involvement of some other responsible officials also, awarding of the extreme punishment of dismissal cannot be sustained. Who were the other officials involved, a finding on it is not at all warranted in this adjudication proceeding. Very strangely, to find out who they are, it appears, management is least bothered about also.

12. With the materials available on record, the workman cannot be fully exonerated because there is every chance for his involvement in this shady deal along with some other officials. Therefore better punishment would be a discharge of him from service. In the exercise of powers vested in this Tribunal under Sec. 11(A) of the I.D. Act, the punishment of dismissal is modified as one discharge.

(Dated this the 10th day of April, 1995).

K. KANAKA CHANDRAN, Presiding Officer
APPENDIX

Witnesses examined on the side of the Management :—
MW1 Simon Dodsingh

MW2 Paramananda Shenoy.

Witnesses examined on the side of the Union :—
WW1 K.P. Sethu Madhavan.

WW2 K.B. Krishna Menon.

Exhibits marked on the side of the Management :—

M1 Enquiry File

Exhibits marked on the side of the Union :—

W1 Notice No. TSSO-937 Enq: 71/1 dated 7-2-1987 issued to the workman.

W2 (series) Photocopy of the lists and documents

W3 Page No : 30 of the OSC Register maintained by the Bank.

W4 Token Movement Register maintained by the Bank.

नई दिल्ली, 10 मई, 1995

का. आ. 1538.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मै. टाटा आयरन एण्ड स्टील कं. लि. की बेस्ट बोकारो कोलियरी के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, (सं. 1) धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-5-95 को प्राप्त हुआ था।

[संख्या एन-20012/212/90-आई. आर. (कोल-1)]

अज मोहन, डैस्क अधिकारी

New Delhi, the 10th May, 1995

S.O. 1538.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, (No. 1), Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of West Bokaro Colliery of M/s. Tisco and their workmen, which was received by the Central Government on 8-5-95.

[No. L-20012/212/90-IR(Coal-I)]
BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under section 10(1) (d)(2-A) of the Industrial Disputes Act, 1947.

Reference No. 11 of 1991

PARTIES :

Employers in relation to the management of
West Bokaro Colliery of M/s. TISCO.

AND

Their Workmen.

PRESENT :

Shri P. K. Sinha, Presiding Officer.

APPEARANCES :

For the Employers : Shri B. Joshi, Advocate.

For the Workmen : Shri R. S. Murthy, Advocate.

STATE : Bihar. INDUSTRY : Coal.

Dated, the 27th April, 1995

AWARD

By Order No. L-20012/212/90-I.R. (Coal-I), dated the 12th February, 1991, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

- I. Whether the action of the Management of West Bokaro Colliery of M/s. TISCO Ltd. P.O. Ghatotand Dist. Hazaribagh in not accepting the date of birth of Ram Naumi Singh, Telephone Exchange Operator (underground) as 10-10-1938 is justified ?
- II. If not to what relief the workman concerned is entitled ?

2. The concerned Union appeared and filed the written statement on behalf of the workman, Ram Naumi Singh (also referred to at some places as Ram Nomi Singh) stating therein that in the School Regis-

ter the date of birth of the workman was recorded as 10-10-1938 but in Form 'B' Register the management had erroneously recorded it to be 1-1-1932. It has been submitted that the workman had read upto matriculation at Oman High School at Teghra, in Begusarai District but failed in the final examination of 1955. Thereafter he got himself employed in the present company, but his date of birth was incorrectly recorded. In the year 1980 the management invited objection about discrepancy in date of birth and the workman responded by applying for correction of his date of birth as aforesaid, placing before the management his school leaving certificate in proof. This request was denied. Thereafter also the workman continued representing but to no avail.

3. Since the original certificates of the workman had been lost, he had obtained duplicate copies of the school leaving certificate, Admit Card and the mark-sheet of matriculation examination and again pressed his claim which was refused in 1989. Thereafter this dispute was raised and the reference made. It has been claimed that the action of the management has caused loss of more than six years of service to the concerned workman.

4. The sponsoring Union has argued that the Joint Bi-partite Committee for Coal Industry in its meeting dated 19/20 August, 1987 had taken a decision to review/determine the date of birth of the existing employees and to treat certificates, such as, of matriculation or middle pass from proper authorities, as well Admit Card as proof of the date of birth. It has been argued that this decision was not implemented by the management. A prayer has been made to direct the management not to superannuate the workman with effect from 1-7-1992, but to continue him in service. It may be mentioned that this written statement is dated 14-4-1991.

5. The management also filed its written statement submitting that the workman after his appointment on 5-8-1957 had declared his date of birth as 1-7-1932, which was entered in Form 'B' Register of the colliery as well in the service card maintained by the management, who had also signed upon the service card and the Form 'B' Register in token of his aforesaid declaration.

6. It further has been averred that in 1977 the management issued a circular enabling the workmen to represent about their date of birth, but no such representation was filed by the concerned workman. Again similar circular was issued in the year 1980 to which the workman also filed his representation. One Age Correction Committee comprising of the representatives of the management and the recognised Union was constituted to consider the applications. It is admitted that the workman had filed his school leaving certificate also. On examining every aspect of the matter the Age Correction Committee did not recommend for correction of age of the concerned workman which decision was intimated to the workman.

7. It is admitted that the concerned workman again submitted representation in the year 1989 on the same subject which also was rejected. Then the workman submitted grievance form before the Joint Bi-partite Committee which in its deliberation on

24-8-89 did not find any merit in the grievance of the workman. The management also submitted parawise rejoinder to the written statement of the sponsoring Union. As will be seen, in para 8 of its written statement the sponsoring Union had claimed that the workman again represented in the year 1989 also filing duplicate copies, obtained from proper authorities, of his school leaving certificate. Admit Card for matriculation examination as well the mark-sheet obtained from Bihar School Examination Board. This has been replied to by the management in para 23 of its written statement in which it has not denied that the workman had filed those documents in support of his claim.

8. It will appear that during the pendency of this reference the workman had reached his superannuation age in accordance with the date of birth recorded in Form 'B' Register.

9. The questions to be decided are, firstly, as to whether the action of the management in not accepting the date of birth of the concerned workman to be 10-10-39 was justified and, if not, to what relief the workman should be entitled to.

10. Both sides have adduced evidence in this regard. WW-1 Broj Kishore Singh, a Peon of Oman High School at Teghra, Beguistrai had brought from the School, and had proved the relevant entry in the original Admission Register as well in the Admit Card Issue Register of that School, which went to prove that the date of birth of the concerned workman was recorded to be 10-10-1938.

11. W.W. 2 is the concerned workman himself who has fully supported his case. He has claimed that he had failed in the matriculation examination in the year 1955. He proved his document out of which photo copy of the Admit Card was marked Ext. W-4. He also proved a certificate issued by the Head Master of the School in favour of his contention which was marked Ext. W-5. Photo copy of transfer certificate received from the school is Ext. W-6 and the mark-sheet of the matriculation examination is Ext. W-7. This witness has said that he had declared 10-10-1938, as his date of birth in the form for medical examination. He was given Identity Card for the first time in the year 1979 (Ext. W-8) before which he had no idea as to the date of his birth as recorded in the register of the management. This witness has emphatically claimed that he had no occasion to sign over Form 'B' Register nor did he put his L.T.I. thereon. He pointed out his alleged signature in the service card (Ext. M-11), and denied that it was his.

12. The witness further submitted that in the 1977 he did not file any objection because then he was under impression that his correct date of birth was recorded. But when he was given opportunity in the year 1980 he availed of that and made his representation. He further said that he was interviewed by the Committee but the management did not refer him to Medical Board for determination of his age. He proved Ext. W-10, a letter through which claimed the workman, the management had declined to send him for medical examination. However, Ext. W-10, dated 21/24-4-1989 does not refer to any order for

not sending him to Medical Board, but this conveyed to the workman refusal of his request for correction of date of birth. However, from the record it is clear that the management did not send him for examination before the Medical Board.

13. In the cross-examination also the workman had denied the L.T.I. and the signature on Form 'B' Register to be his. It appears that thereafter the signature was referred to the Handwriting Expert who said that it was not possible to give any opinion.

14. MW-1 is A. K. Sinha, Dy. Divisional Manager (Personnel) at the West Bokaro Colliery. He submitted that the date of birth of a workman was invariably recorded in Form 'B' Register. He has justified the action of the management in denying the request of the workman particularly on the basis of the recommendation of the Age Correction Committee which had declined to accept the representation of the workman filed in the year 1980. This witness admitted Ex. M-3, a circular issued by JBCCI envisaging that if there was a discrepancy in the age of any workman recorded in different records maintained by the management then only his case could be referred to Medical Board for determination of his age.

15. In cross-examination this witness admitted that in the service card the name of the worker and his date of birth had been recorded by one person and the rest of the entries were made by another person.

16. A perusal of the Service Card, Ext. M-1, would show that in the upper portion the name of the workman, number, designation, date of appointment, department, department number sex and caste have been recorded in one pen in the handwriting of one man whereas the date of birth (1-7-1932) has been recorded in red ink, obviously by someone else. It will appear that figures '9' and '7' in the column of date of appointment and figure '2' in the column of department number definitely differ in character and appearance from these figures written in the column of date of birth. It will also appear that further particulars of the workman on the left side of the card, such as, home address, particulars of next of kin etc. have been written in the hand of yet a third person, and in different ink. So it appears that different particulars were filled up by different persons, apparently at different times.

17. There is another peculiar circumstance in this card. One star mark has been given where his date of birth has been recorded in red ink and the same star mark is at the left hand top of this service card which runs as follows :

"As per Age Correction Committee's report his date of birth is the same, i.e. 1-7-1932 vide COMC/CPM/4881/81 dated 23-12-81":

This has been signed by Group Personnel Officer. This endorsement also is in red ink. The choice of ink and star mark at two places which obviously indicates linkage, would tend one to believe that the aforesaid endorsement and the date of birth were written

at one and the same time in red ink. In other words this would tend to show that before making of that endorsement which obviously was made after 23-12-81, the date of birth was not even mentioned in the Service Card.

18. So far the signature of the workman is concerned he has denied it. The workman also has denied his L.T.I. on Ext. M-2, photo copy of relevant part of Form 'B' Register in which his date of birth has been shown to be 1-7-1932.

19. Now coming to the procedure of the working of the Age Correction Committee constituted by the management comprising of the representatives of the management and of the recognised Union, Para 8 of the written statement of the management can be referred to. According to the averments, therein the Committee had scrutinised the applications of different workmen along with documents submitted by them, held interview and recommended genuine cases for correction of age on the basis of information and report of the Medical Board of the management. From this assertion it appears that the Committee could recommend for correction of age on the basis of information from whatever source it received, as also on the basis of the report of the Medical Board of the management. From the entire procedure it appears that the Committee reserved right to it to recommend the cases, which were found suitable, to the Medical Board for assertion of age. The admitted case is that when in response to 1980 circular the present workman had applied for correction of age along with school leaving certificate, the Committee had not sent him for examination by the Medical Board. It appears that more than once the management rejected the application of the concerned workman only on consideration of other materials. As already stated it would further appear from para 23 of the rejoinder portion of the written statement of the management, this claim of the concerned workman made in para 8 of the written statement of the sponsoring Union was not denied that in the year 1989 the workman had applied again along with the duplicate copies of the school leaving certificate, Admit Card for matriculation examination as well mark-sheet of the matriculation examination in which he had appeared. Those documents are on the record and nothing has been shown to me so as to doubt their authenticity since the claim of the sponsoring Union is that these duplicates were obtained from proper authorities. From the written statement of the management it would appear that the Age Correction Committee had called the workman for interview and had also "minutely checked" the physical appearance of the concerned workman besides examining Form 'B' Register, Service Card and School Leaving Certificate. It is not known as to what the management meant by saying that the physical appearance of the workman was "minutely checked". Ascertaining age by mere physical appearance may not be correct in many cases. Moreover, this aspect could be expertly examined by a Medical Board. So far Form 'B' Register is concerned I have already discussed as to how entries made therein appear to be doubtful. Here it has been asserted that the workman had admitted to have signed over those documents in token of declaration of date of birth, but no evidence

of that has been brought on the record. Obviously the workman has disputed his signature as well L.T.I. on those documents.

20. The documents on record, such as, Ext. W-1 which is entry in the Admission Register of the School showing his date of birth to be 10-10-1938, entry in the Admit Card Register (Ext. W-2) showing the same, the duplicate Admit Card (Ext. W-4), duplicate mark-sheet obtained by the workman (Ext. W-7), which all are said to have been presented before the management in the year 1989 fully support the case of the workman about the date of his birth as the date of birth has been recorded in all those documents, barring Ext. W-7, supporting the case of the workman. These could be valid basis of coming to conclusion about the real date of birth of the workman. But presently I would leave those documents aside because of one circumstance, i.e., why those documents were not placed by the workman along with his school leaving certificate in response to the circular in 1980 when those documents should have been available even then. This is not to say that on this ground genuineness of those documents should be disputed because there is nothing on the record to show that those documents are not genuine. This is only to say that a late claim about correction of the date of birth particularly at a time when the age of superannuation according to recorded date of birth is approaching, should not be encouraged. Moreover, the workman had filed these documents after about a lapse of more than eight years when the Committee had rejected his claim. This is what which holds me from giving an out-right finding in favour of the concerned workman about the date of birth which he claims in connection with documents filed for the first time in the year 1989.

21. But I must determine as to whether the rejection of application of the workman by the Age Correction Committee could be justified. It has been argued by the management, as also mentioned in its written statement, that the Committee could not put reliance on a mere school leaving certificate when, as the management claims, the workman himself had given out his date of birth to be 1-7-1932 at the time he was appointed. It has been argued in para 11 of the management's written statement that the experience shows that the date of birth entered into the school leaving certificates are lower than the actual age, but the date of birth as entered into public documents, like Municipality record, police record etc. is considered more genuine. This is a strange argument because if this is accepted, the age given in the school register in relation to any person would have to be rejected outrightly. But it should be remembered that while a boy of a tender age is admitted into school it is invariably his guardian who gives out his date of birth, not the child himself. The date of birth given at such initial stage by the guardian of a child should be accepted as genuine unless contrary is proved. The management has not shown that there was anything to doubt about the genuineness of the school leaving certificate that was produced by the workman along with his application. Therefore, the management should not have rejected that document outrightly just on the ground of specious argument that

such documents generally do not depict correct date of birth or that there should have been corroborative evidence or on the basis of what the management has claimed to be the "minutely checking" of the physical appearance of the workman. Indeed from the extract of the Admission Register and the Admit Card Register produced by the workman in the Tribunal it would appear that the school leaving certificate had depicted the date of birth which were mentioned in those old documents.

22. Therefore, it must be held that rejection of the claim of the workman in the year 1980/81, thereby outrightly rejecting the school leaving certificate produced by the workman was not proper. The least that the Committee should have done in such circumstance was to refer the workman to the Medical Board for assessment of his age by a panel of doctors who usually constitute such a Medical Board. Not having done so they would appear to have rejected the application arbitrarily.

23. The argument of the management that the workman should not have kept mum for all these years before response to 1980 circular has been adversely answered by the workman. He has submitted that although he did not know that in the register of the company the wrong date of birth has been recorded and that for the first time he came to know about that when he was issued Identity Card for the first time in the year 1979. Ext. W-8 is photo copy of that Identity Card from which it would appear that it was issued in the year 1979 in which his date of birth was given to be 1-7-1932. It will appear that after receipt of the Identity Card the workman availed of the first opportunity provided to him to make a representation against the entry made in the official document.

24. If the claim of the workman is correct then he would have superannuated in the year 1998. There would still be such time left for him to be in the service of the company.

25. Since I find that the Age Correction Committee should have referred the case of the workman to the Medical Board for ascertaining the age, I think that it would be justified to record an order in those terms. Therefore, I would order that the concerned workman be produced before the Medical Board to be constituted by the management, if already not in existence, within one month of this award becoming enforceable. The Medical Board shall determine the age of this workman on accepted medical principles including ossification test. Should it appear on the finding of the Medical Board that the concerned workman should not have been superannuated with effect from 1-7-1992, the management shall pay him all the back wages upto the time the workman should have superannuated in accordance with the finding of the Medical Board, in case by the time he is so medically examined, he already has reached age of superannuation as per finding of the Medical Board. Should the finding of the Medical Board support the claim of the workman, the workman should immediately be reinstated and be paid all his back wages and allied benefits and shall superannuate in accordance with the

finding of the Medical Board. Should the management fail to carry any of these directions, the workman shall be entitled to full wages from the date of such failure of the management, till the management fulfils the order. In case order is not carried out till 10-10-1998, the workman shall be entitled to full back wages from the date he was made to superannuate by the management.

26. The aforesaid directions constitute the award.

Under the circumstances of the case, there would be no order as to the cost.

P. K. SINHA, Presiding Officer.

नई दिल्ली, 10 मई, 1995

का. आ. 1539.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मै. सेंट्रल कोलफील्ड्स लिमि. के गोविन्दपुर प्रोजेक्ट के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, (स.-1), धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-5-95 को प्राप्त हुआ था।

[संख्या एल-20012/217/89-आईआर (कोल-1)]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 10th May, 1995

S.O. 1539.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, (No. 1), Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Govindpur Project of M/s. C.C.L. and their workmen, which was received by the Central Government on 3-5-95

[No. L-20012/217/89-IR (Coal-1)]

BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 30 of 1990.

Parties: Employers in relation to the management of Govindpur Project of M/s. C.C. Ltd.

AND

Their Workmen.

Present: Shri P.K. Sinha,
Presiding Officer

Appearances:

For the Employers Shri R.S. Murthy, Advocate

For the Workmen Sri S. Bose, Secretary, R.C.M.S.

State : Bihar Industry : Coal.

Dated, the 21st April, 1995

AWARD

By Order No. L-20012/217/89-I.R. (Coal-I) dated 12-2-1990 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-sec. (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal:

"Whether the action of the management of Gobindpur Project of C.C.L. P.O. Bokaro Thermal, Dist. Giridih by not re-instating S/Shri Laldeo Choudhury, Sakru Mohato and Ugan Mahato, Ex-employees of Gobindpur Project of C.C.L. w.e.f. 16-10-87 respectively and not making payment of their back wages and other benefits provided by the management to their co-workmen is justified? If not, to what relief the workmen concerned is entitled?"

2. The order of reference was received in this Tribunal on 19-2-1990. After notice the parties filed their respective written statements and rejoinders. Thereafter the reference was fixed for filing of the documents by the sponsoring Union. But on 20-4-1995 Shri R.S. Murthy appearing on behalf of the management drew my attention towards his petition dated 18-10-1994 for passing of 'no dispute' award on the ground that all the three concerned workmen had been reinstated back into service in the year 1990 on consideration of their mercy appeals, and only minor punishment was awarded to them substituting the major punishment of dismissal which the three concerned workmen had accepted and were doing their duties. Annexed to that application are three Office Orders relating to reinstatement of the concerned workmen with minor punishment.

3. Shri S. Bose, appearing on behalf of the sponsoring Union submitted that in view of the fact that the concerned workmen had been reinstated and had accepted minor punishment, the Union has now no dispute with the management. He prayed to pass a 'no dispute' award in the present dispute.

4. Under such circumstances, I render a 'no dispute' award in the present reference.

P.K. SINHA, Presiding Officer

नई दिल्ली, 10 मई, 1995

का. मा. 1540.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मै. भारत कोकिंग कोल प्रोजेक्ट के पी. बी. प्रोजेक्ट के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, (सं.-1), धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-5-95 को प्राप्त हुआ था।

[संख्या एन-20012/281/93-आई आर (कोल-1)]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 10th May, 1995

S.O. 1540.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award

of the Central Government Industrial Tribunal (No. 1), Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of P.B. Project of M/s. BCCL and their workmen, which was received by the Central Government on 5-5-95.

[No. L-20012/281/93-IR(Coal-I)]

BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under Sec. 10(1)(d) (2-A) of the Industrial Disputes Act, 1947.

Reference No. 196 of 1994

PARTIES :

Employers in relation to the management of P.B. Project of M/s. BCCL.

AND

Their Workmen

PRESENT :

Shri P. K. Sinha,
Presiding Officer

APPEARANCES :

For the Employers : Shri S. N. Sinha, Advocate.

For the Workmen : None.

STATE : Bihar

INDUSTRY : Coal

Dated, the 21st April, 1995

AWARD

By Order No. L-20012(281)93-I.R.(Coal-I) dated, 'nil', the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of Section 1 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of P.B. Project of BCCL in denying promotion to Shri Fulchand Paswan and 22 other workmen (as per list annexed) w.e.f. 18-5-91 is justified? If not to what relief the concerned workmen are entitled for?"

2. The dispute has been settled out of the Tribunal. A memorandum of settlement has been filed in this Tribunal. I have gone through the

terms of settlement and I find those to be fair and reasonable. I allow the prayer and render an award in terms of the settlement. The memorandum of settlement shall form part of this award.

3. Let a copy of this award be sent to the Ministry as required under Sec. 15 of the Industrial Disputes Act, 1947.

P. K. SINHA, Presiding Officer
BEFORE THE PRESIDING OFFICER, C.G.I.T.
NO. 1, DHANBAD

Reference case No. 196/94

Employer in relation to the management of
Pootkee Balihari Project.

AND

Their workmen

Joint compromise Petition.

The humble petition on behalf of parties to the above reference most respectfully sheweth :—

1. That the Central Government, Ministry of Labour, New Delhi by a notification No. L-20012(221)/93 dated 5-8-94 referred the industrial dispute for adjudication under section 10(i)(D) 2A of the I.D. Act, 1947 before the Hon'ble Tribunal.
2. That the parties discussed the aforesaid industrial dispute between themselves and agree to settle the same on the following terms and conditions :—

TERMS OF SETTLEMENT

1. Subsequent to the reference the parties have discussed this case in depth and it has been argued upon that the serial No. 1 to 13 (as per annexure) will get national promotion and seniority in Cat. VI with effect from 18-5-91 instead of 17-9-91.
2. That they will not claim any difference of wages for the period 18-5-91 to 17-9-91 i.e. for 4 months.
3. That as regards serial No. 14 to 23 except serial No. 22 who had been transferred to other unit will get national seniority from 18-3-91 instead of 17-9-91 but without any back wages and monetary benefit for the above period.
4. That the management and union agreed to approach the Hon'ble Tribunal to pass an award on the aforesaid terms of settlement.

Under the facts and circumstances stated above the Hon'ble Tribunal will be graciously pleased to

accept the settlement as fair and proper and be pleased to pass the award in terms of the settlement.

Signature of the parties :—

1. (A.K. Srivastava)
Chief General Manager,
P.B. Area.
2. (D.B. Singh)
Dy. Chief Personnel Manager,
P.B. Area.
3. (K.M. Prasad)
Personnel Manager (IR),
P.B. Area.

Witness :—

1. Ramaddin Sharma.
2. Arbind Prasad.

1. (R. K. Singh)
Secretary,
Coal Mines Engineering
Workers Association,
P.B. Project.
2. (S. K. Verma)
Part of the Award
True Copy

ANNEXURE TO TERMS OF REFERENCE/OF FOR PART II NO. 1(16)/92-E-3 LIST OF CONCERNED FITTERS

1. Fulchand Pashwan.
2. S. D. Verma.
3. S. Wali Ahmed.
4. Md. Asin.
5. Arbind Prasad.
6. Shyamdeo Pd.
7. S. K. Verma.
8. Duli Thackur.
9. Ruplal Mahajō.
10. Mansu Kumhar.
11. R. K. Singh.
12. A. K. Singh.
13. I. S. Rao.
14. Ramadin Sharma.
15. Sukhir Kr. Singh.
16. Ramchandra Prasad.
17. Anwar Ali.
18. Rabindra Mandal.

19. Ravindra Prasad.

AND

20. Ramasareya Chouhan.

Their Workmen

21. K. D. Mistry.

PRESENT :

22. Jitendra Kr. Singh.

Shri P.K. Sinha,
Presiding Officer.

23. Mhd. Samsul Haque.

APPEARANCES :

नई दिल्ली, 12 मई, 1995

For the Employers : Shri S. N. Ghosh, Ad-
vocate.

For the Workmen : None.

STATE : Bihar

INDUSTRY : Coal

Dated, the 2nd May, 1995

AWARD

का. आ. 1541.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मै. भारत कोकिंग कोल लि० की मुरीलाडीह कोलियरी के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्म-कारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, (सं. 1), धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-5-95 को प्राप्त हुआ था।

[संख्या एल-20012/(397)/93-आई. आर. (कोल-I)]
ब्रज मोहन,
डेस्क अधिकारी

New Delhi, the 12th May, 1995

S.O. 1541.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947, the Central Government hereby publishes the award of the Central Government Industrial Tribunal (No. 1) Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Murriladih Colliery of M/s. BCCL and their workmen, which was received by the Central Government on 9-5-95.

[No.L-20012/(397)/93-IR(Coal-I)]

BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of reference under section 10(1) (d)(2-A) of the Industrial Disputes Act, 1947.

Reference No. 90 of 1994

PARTIES :

Employers in relation to the management of Murriladih Colliery of M/s. BCCL.

By Order No. L-20012(397)/93-I.R.(Coal-I) dated 8-4-1994 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of Murriladih Colliery of M/s. BCCL under Bhalgora Area of M/s. BCCL, P.O. Jharia, Distt. Dhanbad in dismissing Shri Rajbali Yadav, Underground Trammer Attendance Clerk from the services of the company w.e.f. 3-3-92 is justified ? If not, to what relief the workman is entitled ?”

2. On 27-4-1995 no one had appeared on behalf of the sponsoring Union, though the management had represented by Sri S. N. Ghosh, Advocate.

3. It will appear from the record that two notices were issued to the sponsoring Union through registered post, which were returned unserved. Another notice was ordered to be issued on 9-3-1995. From the record it appear that the office had sent the notice through Peon. It will also appear that someone at the address of the sponsoring union had received on 5-4-95, who had signed over it. Still no one appeared on behalf of the sponsoring union on 27-4-95.

4. It, therefore, appears that the sponsoring Union has no interest in pursuing this reference or has ceased to be having any dispute with the management in this regard.

5. Under the circumstances I render a 'no dispute' award in the present reference.

P. K. SINHA, Presiding Officer

नई दिल्ली, 12 मई, 1995

का. आ. 1542.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, मै. भारत कोकिंग कोल लि. की लपंगा-कोलियरी के प्रबन्धतंत्र के संबद्ध, नियोजको और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, (सं. 2) धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-5-95 को प्राप्त हुआ था।

[संख्या एन-20012(384)/92-आई. आर. (कोल-1)]

ब्राज मोहन, डेस्क अधिकारी

New Delhi, the 12th May, 1995

S.O. 1542.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal (No. 2) Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Lapanga Colliery of M/s. BCC Ltd. and their workmen, which was received by the Central Government on 9-5-95.

[No. L-20012|384|92-IR(Coal-I)]

BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri D. K. Nayak,
Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

Reference No. 198 of 1993

PARTIES :

Employers in relation to the management of Lapanga Colliery of M/s. CCL and their workmen.

APPEARANCES :

On behalf of the workmen : Shri Deo Ranjan Singh Area Secretary Jharkhand Colliery Mazdoor Union.

On behalf of the employers : Shri R. S. Murthy, Advocate.

STATE : Bihar

INDUSTRY : Coal

Dated, Dhanbad, the 28th April, 1995

AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012(384)/92-I.R.(Coal-I), dated the 16th/17th November, 1993.

SCHEDULE

"Whether the action of the management of Lapanga Colliery. P.O. Bhadani Nagar, Dist. Hazaribagh of M/s. Central Coalfields Ltd. is justified in not allowing the workman Shri Balgovind Bhuiya on the Time Rated job from 4-8-92 and not regularising him on the time Rated job inspite of working for more than one year in Time Rated job ? If not, to what relief the workman is entitled ?"

2. In this case none of the parties filed its W.S. subsequently when the case was fixed for filing W.S. both the parties appeared before me and filed a Joint Petition of Compromise. I heard both the parties on the said petition of Compromise and I find that the terms contained therein are fair, proper and legal one. Accordingly I accept the said Joint Compromise petition and pass an Award in

terms thereof which forms part of the Award as Annexure.

D. K. NAYAK, Presiding Officer

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 2 DHANBAD

Reference No. 148/93

PARTIES :

Employers in relation to the Management of
Lapanga Colliery of Central Coalfields
Ltd., P.O. Bhadani Nagar, District
Hazaribagh.

AND

Their Workmen

JOINT COMPROMISE PETITION OF EMP-
LOYERS AND WORKMEN

The abovementioned employers and workmen
represented by the Area Secretary, Jharkhand Col-
liery Mazdoor Union, Barkakana Area, most res-
pectfully beg to submit jointly as follows :

- (1) That the Employers and the Union concern-
ed have jointly negotiated the dispute
covered by the above reference with a
view to arrive at an amicable and mu-
tually acceptable settlement.
- (2) That as a result of such negotiations bet-
ween the parties, the Employers and the
union concerned have mutually agreed
to settle the above dispute on the follow-
ing terms and conditions :—
- (a) It is agreed that the workmen concerned
Sri Balgovind Bhuiya will be transferred
by the Management from Lapanga
Colliery of CCL to Religara Colliery
of CCL as a Piece-Rated Underground
Leader in P.R. Group-VA within a
month of this joint compromise petition
being accepted by the Hon'ble Tribunal.
- (b) It is agreed that in view of Clause (a)
above, the workmen/Union concerned
forego all their claims arising out of the
above reference.
- (3) That it is agreed that this is an overall
settlement in full and final settlement of

all the claims of the workmen concern-
ed/union concerned arising out of the
above reference.

- (4) That the employers and the workmen/
Union hereby declare jointly that they
consider the aforesaid terms of settle-
ment as fair, just and reasonable to both
the parties.

In view of the above, the employers and the
workmen/union concerned jointly pray that the
Hon'ble Tribunal may be pleased to accept this
joint compromise petition and give an award in
terms thereof and dispose of the reference.

(Deo Ranjan Singh)

Area Secretary.

Jharkhand Colliery Mazdoor Union

Barkarana Area.

(N.P. Singh)

General Manager

Central Coalfields Ltd.

Barkakana Area

For & on behalf of the Employers,

(Raj. S. Murthy),

Advocate for Employers.

Date : 12-4-94.

नई दिल्ली, 12 मई, 1995

का. आ. 1543—औद्योगिक विवाद अधिनियम,
1947 (1947 का 14) की धारा 17 के अनुसरण में,
केन्द्रीय सरकार भारतीय जीवन बीमा निगम के प्रबन्धन के
संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में
निर्दिष्ट औद्योगिक विवाद में, श्रम न्यायालय, इरनाकुलम के
पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को
10-5-95 को प्राप्त हुआ था।

[संख्या एन-17012/44/89-आई. आर. (बी.-II)]

बी. के. शर्मा, डेस्क अधिकारी

New Delhi, the 12nd May 1995

S.O. 1543.—In pursuance of Section 17 of the
Industrial Disputes Act, 1947 (14 of 1947), the
Central Government hereby publishes the award of
the Labour Court, Ernakulam as shown in the
Annexure in the Industrial Dispute between the em-
ployers in relation to the management of LIC of
India and their workmen, which was received by
the Central Government on 10-5-1995.

[No. L-17012/44/89-IR(BII)]

V. K. SHARMA, Desk Officer

ANNEXURE
IN THE CENTRAL GOVERNMENT, LABOUR
COURT, ERNAKULAM

(Labour Court, Ernakulam)

Friday, the 17th day of February, 1995

PRESENT :

Shri. M. V. Viswanathan, B. Sc., LL.B., Presiding Officer.

Industrial Dispute No. 1 of 1990 (C)

BETWEEN :

The Sr. Divisional Manager, LIC of India, P. B. No. 1133, 'Jeevan Prakash' M. G. Road, Ernakulam, Cochin-682 011.

AND

1. The General Secretary, Insurance Employees Union, Ernakulam Division, C/o. LIC of India, 'Jeevan Prakash' M. G. Road, Ernakulam, Cochin-682011. (2) The Secretary, LIC Employees Union, Ernakulam. (Union No. 2 is impleaded as per order in M. P. 196/90 dated 17-4-1991)

REPRESENTATIONS :

M/s. Easwar & Mani,
Advocates, Cochin-35. ... For Management

M/s. Youseff & Aysha,
Lawyers, Mullassery Canal Road,
Cochin-11. ... For Union No. 1

Sri. M. Ramacharandran,
Advocate, Cochin-17. ... For Union No. 2

AWARD

This industrial dispute was referred to this court by Central Government as per order No. L-17012/44/89-IR(B)-I dated 8-2-1990. The dispute is between the management of LIC of India, Cochin and their workmen. The issue referred for consideration is "Whether the action of the management of the LIC of India, Ernakulam Division in transferring Sri T. V. Divakaran, Section Head working in the Ottappalam Branch on his promotion as Higher Grade Assistant to the Vandiperiyar Branch vide office order No. 3/89-90 dated 20-4-89 even though a clear vacancy of Higher Grade Assistant is available at the Ottappalam Branch is justified? If not, to what relief, the workman concerned is entitled?"

2. The workman concerned is represented by the General Secretary, Insurance Employees Union, Ernakulam Division. While the matter was pending before this court, additional second union namely LIC Employees Union was impleaded as per the order in M. P. 196/90.

3. The General Secretary, Insurance Employees Union, Ernakulam Division filed claim statement stating as follows :

The workman concerned Sri T. V. Divakaran was working as section Head at Attappalam. He was promoted and posted at Vandiperiyar branch vide office order dated 20-4-1989. The transfer of Sri T. V. Divakaran is against the existing practice and conventions. The said action of the management cannot be justified. When LIC of India was formed, there were several categories of clerical and supervisory staff. Designation and salary of such clerical staff differed from one Insurance Company to another company. LIC of India decided to rationalise such categories. Accordingly, clerical and supervisory staff were confined to three cadres viz. Assistants, Section Heads and Superintendents. Subsequently with a view to encourage the staff to acquire technical qualifications, LIC decided to grant direct promotions as such of those who passed the prescribed technical examinations. For this purpose a separate cadre styled Higher Grade Assistant (HGA) was formed with a salary slightly higher than that of Section Head (SH). Those who in the Assistant cadre were promoted and posted as higher grade assistants on acquiring prescribed qualifications. Subsequently the LIC decided to treat the category of section heads as closed and to absorb the existing Section Heads as Higher Grade Assistants in a phased manner. The cadre of Superintendents was also abolished. The Section Heads were required to apply for promotion to the cadre of Higher Grade Assistants. The practice of promoting Section Heads as Higher Grade Assistants is almost automatic. Whenever a Section Head becomes eligible he is designated as Higher Grade Assistant without causing any disturbance. The process of promotion is a process of redesignation only. This practice is in existence since a long time and is followed as a norm with one exception alone i.e. transfer may be effected at the request of the employee entitled for promotion. During the year 1989 three section heads were found eligible for promotion. They were posted on promotion at their own stations as Higher Grade Assistants. But this practice was disturbed in 1989 while promoting the workman concerned T. V. Divakaran Section Head as Higher Grade Assistant. Section Heads at Palghat and Ottappalam were directed to be transferred to Ernakulam and Vandiperiyar respectively, while the section head at Ernakulam was posted at Ernakulam itself. Sri Divakaran was transferred to Vandiperiyar. The above said order of transfer is in violation of the norm regarding promotion of Section Heads as Higher Grade Assistants. The said transfer order is irregular, illegal and unsustainable. The cadre of Higher Grade Assistants is similar in nature as that of Section Head. There is no difference between the functions of Section Heads and Higher Grade Assistants. The management itself considered the promotion against

notional vacancies instead of physical identified vacancies. The practice of retaining the Section Heads on promotion at their own station has been followed ever since category of Section Head is closed. This practice has been followed in the Trivandrum Division of the LIC. The LIC is bound to follow principles of natural justice. It cannot have different standards at different stations. Following different practice at different Stations will result in discrimination and arbitrariness. Hence the union prayed for directing the management to retain the workman concerned Sri T. V. Divakaran at the station where he is presently working on his promotion as Higher Grade Assistant and to treat that Sri T. V. Divakaran has been promoted as Higher Grade Assistant with effect from 20-4-89. The union has also prayed for directing the management of LIC to give Sri T. V. Divakaran all the emoluments and other allowances applicable to Higher Grade Assistant with effect from 20-4-89.

4. The management filed written statement contending mainly as follows :

The workman concerned Sri T. V. Divakaran, working as Section Head in the branch office of the LIC of India at Ottapalam was promoted as Higher Grade Assistant and was posted to the Branch office at Vandiperiyar by the office order dated 20-4-89. The post of Higher Grade Assistant is a promotional post. The employees belonging to the cadre of Section head are also eligible to compete for promotion to the cadre of Higher Grade Assistant along with other eligible employees in the scale of Assistants. Promotions to the cadre of Higher Grade Assistants are governed by the Life Insurance Corporation of India Class-III and Class IV employees promotion rules of 1987 and also the instructions of the Chairman from time to time as regards the implementation of the promotion rules of 1987, issued in the exercise of the powers conferred on the Chairman under regulation 4 of the Life Insurance Corporation of India (Staff) Regulation of 1960 read with rule 10 of the promotion Rules of 1987. The rules of 1987 enjoins the Senior Divisional Manager as the promoting authority to the cadre of Higher Grade Assistant. The said rules also enjoins the procedure for consideration of the claim of eligible employees for promotion as Higher Grade Assistants. It is incorrect to state that there is a practice of absorption of all the section heads as Higher Grade Assistants in a phased manner. The statement of the union that the process of promoting Section Heads as Higher Grade Assistants is almost automatic is not correct. The management has not violated any of the promotion rules or any clause in the instructions issued by the Chairman. The order issued by the Divisional Manager is only just and proper and in accordance with the promotion rules and the instructions issued by the Chairman. LIC has not taken any decision to close down the post of Section Heads and to absorb all the existing Section Heads as Higher Grade Assistants in a phased manner. The duties and functions of Section Heads and Higher Grade Assistance are quite different and cannot be equated as similar. There is no practice at all in the LIC of India of retaining of Section Heads on promotion as Higher Grade Assistant in the same office.

There is no such stipulation in the promotion rules and the instructions of the Chairman for the implementation of the promotion rules of 1987. The postings are decided by the respective Senior Division Managers in view of the general acceptable norms. One of the general principles adopted in the division at Ernakulam is that "youngest to go to the farthest place". Exceptions are categories made in the case of postings. The practice may vary from one division hilly terrains. It is not at all possible for any section heads to insist that he be retained in the same office on his promotion as Higher Grade Assistant. There are no general instructions as regards the norms of postings. The practice may vary from one division to another. Therefore the fact that some section heads are retained in the same office on promotion as Higher Grade Assistants cannot be relied on as a general rule. The Division office at Kozhikode has informed the Ernakulam Division that the practice there at Kozhikode is to transfer out section heads on promotion rules of 1987 and the instructions of the promotion rule of 1987 and the instructions of the Chairman of LIC, Section Heads are to compete with assistants for promotion to the cadre of Higher Grade Assistants. The scale of pay of Higher Grade Assistant is higher than that of Section Head. The Higher Grade Assistant is treated superior to section head in the matter of consideration for promotion to the post of Assistant Administrative Officer. The workman concerned Sri T. V. Divakaran is not discriminated against on his promotion. There is no violation of the principles of natural justice in the matter of postings of Section Head as Higher Grade Assistants on promotion. The transfer is an incident of service and therefore an order of transfer except on grounds of malafides is not liable to be interfered with. The workman concerned Sri T. V. Divakaran is not entitled to any of the relief prayed for. Hence the management prayed for the dismissal of the claim put forward by the union.

5. The union filed rejoinder refuting the contentions raised by the management.

6. The point for consideration is "whether the action of the management of the LIC of India, Ernakulam Division in transferring the workman concerned Sri T.V. Divakaran on his promotion as Higher Grade Assistant to the Vandiperiyar Branch is justified? If not, the relief to which the workman concerned Sri T. V. Divakaran is entitled?"

7. The evidence in this case consists of the oral testimony of WW1 and Exts. W1 to W7 and M1 to M7.

8. The Point : The workman concerned Sri T. V. Divakaran was working as Section Head at Ottapalam Branch of the LIC of India, Ernakulam Division. As per the order dated 20-4-89 Sri T.V. Divakaran, Section Head was promoted as Higher Grade Assistant and posted at Vandiperiyar Branch of the LIC of India, Ernakulam Division. The said order dated 20-4-89 was passed by the Senior Divisional Manager of the LIC of India, Ernakulam Division. Ext. W1 is the copy of the said order dated 20-4-89 of the Senior

Divisional Manager, Ernakulam Division, LIC of India. The union has challenged the legality and justifiability of Ext. W1 order dated 20-4-89. According to the union the transfer of Sri T. V. Divakaran on his promotion as Higher Grade Assistant to Vandiperiyar Branch is irregular, illegal, unsustainable and against the existing practice and conventions. The definite case of the union is that Section Heads on promotion as Higher Grade Assistants are to be retained at the very same station and that was the practice followed by the management of LIC of India.

9. The union has relied on Ext. W2, W3 and W5 to W7 office orders regarding promotion and posting of Section Heads and Assistants as Higher Grade Assistants. Ext. W2 is the order issued by the Senior Divisional Manager of Ernakulam Division and it is dated 27-5-88. As per W2 office order the Section Heads on promotion as Higher Grade Assistants were posted at the very same station. Ext. W3 is the office order dated 21-3-87 of the Divisional Manager, Ernakulam Division. This office order would show that the Section Heads on promotion as Higher Grade Assistants were retained at their own stations. Ext. W5 to W7 are the office orders issued by the Senior Divisional Manager of the Trivandrum Division, dated 4-4-87, 17-6-88 and 25-5-89 respectively. These office orders would also show that the Section Heads on promotion as Higher Grade Assistants were retained in the very same stations. So these office orders would show that from 1987 onwards in Ernakulam Division and in Trivandrum Division; the Section Heads on promotion were retained at their own stations. On the basis of W2, W3 and W5 to W7 office orders, the union attempted to establish that there is an existing practice and conventions of retaining the section Heads on promotion as Higher Grade Assistants in their own stations without causing any disturbance to the Section Heads. It can be seen that in 1987, 1988 and 1989, the Trivandrum Division has retained all the Section Heads on promotion as Higher Grade Assistants in the very same stations. But in Ernakulam Division the practice of retaining the Section Heads on promotion as Higher Grade Assistants have been followed in the year 1987 and 1988. But in 1989 that practice has not been followed. As per W1 order the Section Head Sri T. V. Divakaran, working at Ottappalam branch was promoted and posted as Higher Grade Assistant at branch office, Vandiperiyar, that the Section Head Smt. Ponnamma Krishnamoorthy working at Ernakulam Division office was promoted and posted as Higher Grade Assistant in P&GS, Divisional Office, Ernakulam that Sri S. Mani, Section Head working at branch office Palakkad was promoted and posted as Higher Grade Assistant at Divisional Office, Ernakulam. The management has categorically contended that there was no existing practice or conventions of retaining the Section Heads on promotion as Higher Grade Assistants of the very same stations. It is further contended by the management that there is no such provision in the promotion rules of 1987 or in the instructions issued by the Chairman of the LIC for the implementation of the promotion rules 1987. The management has further contended that the practice followed in the Kozhikode Division of the LIC is that of transferring the Section Heads on promotion as Higher Grade Assistants. This contention of the management regarding the practice

followed in Kozhikode Division has not been challenged or disputed by the union in their rejoinder. But in effect the union has conceded to the said contention of the management regarding the practice followed in Kozhikode Division. The definite case of the management is that the promotion and posting of Section Heads as higher grade Assistants is the discretion the Head of the Division i.e. the Senior Divisional Manager. There is no dispute that the competent authority to issue promotion and posting orders in respect of Class III and class IV employees is the Senior Divisional Manager. It is an admitted fact that the Assistants, Section Heads and Higher Grade Assistants will come under class III employees of LIC. So the mere fact that in 1987 and 1988 the Section Heads on promotion as Higher Grade Assistants were retained in the every same stations cannot be taken as a ground to hold that there was an existing practice and convention of posting or retaining the Section Heads on promotion as Higher Grade Assistants at the very same stations.

10. The union has no case that the Senior Divisional Manager has violated any of the provisions contained in the promotion rules of 1987 or the instructions issued by the Chairman of LIC of India for implementing the promotion rules, 1987. Ext. W4 is the copy of the LIC of India Class III and Class IV employees (Promotion) Rules 1987. Ext. M7 is the instructions for implementation of LIC of India Class III and Class IV Employees (Promotion) Rules 1987 along with the LIC Class III and Class IV Employees Promotion Rules, 1987. Clause V of the instructions for implementation of LIC of India Class III and Class IV Employees (Promotion) Rules, 1987 would show that the post of Higher Grade Assistant is a promotion post available to Section Heads, Stenographers, Assistants and all other employees in the scale of Section Heads and Assistants. It would also show that the Section Heads, Assistants etc. are eligible to compete for the post of Higher Grade Assistants subject to certain conditions mentioned in the schedule to the said instructions. The schedule to the said instructions would also reveal the fact that the Section Heads, Stenographers, Assistants and all the other employees in the scale of section heads and Assistants have to compete to get promotion as Higher Grade Assistants. Qualifications are also prescribed for the same. Separate marks are allotted on the basis of qualification, seniority, work record and interview. The promotion rules of 1987 would also reveal the fact that the post of Higher Grade Assistant is a promotion post available to Section Heads, Assistants etc. There is nothing in the promotion in the instructions for implementation of the promotion rules of 1987 or to show that the promotion of Section Heads as Higher Grade Assistants is almost an automatic process. There is nothing to show that it is only a mere-redesignation. There is also nothing on record to show that the post of Section Heads have been closed and all the existing Section Heads are to be absorbed as Higher Grade Assistants in a phased manner. So the case of the union, that the category of section heads has been closed and the LIC has decided to absorb all the existing Section Heads as Higher Grade Assistants in a phased manner, that the pro-

motion of Section Heads as Higher Grade Assistants is almost an automatic process, that the process or promotion is process of redesignation only etc. cannot be accepted. But on the other hand, the promotion rules of 1987 and the instructions for implementation of the said promotion rules 1987 would show that the post of higher grade assistant is a promotion post available to Section Heads, Assistants, Stenographers and all other employees in the scale of Section Heads and Assistants. It would also establish the fact that the said category of employees have to compete to get promotion as higher grade assistants. There is nothing in the promotion rules or in the instructions for implementation of the said promotion rules 1987 to show that the section heads on promotion as higher grade assistants are to be retained in the very same stations where they were working as Section Heads. In the absence any such provision it is the discretion of the management to transfer and post the section heads on promotion as Higher Grade Assistants. The Senior Divisional Manager being the competent authority to issue transfer and posting orders is having the discretion to issue necessary orders to implement the promotion and posting of the class III and Class IV employees of LIC of India. It is true that the said promotion and posting orders should not be with malafides. If there is any malafides or arbitrariness in issuing the promotion and posting orders, then only the said orders are liable to be interfered with. But in issuing Ext. W1 office order dated 20-4-89 there was no arbitrariness or malafides. The union could not point out any grounds of malafides in transferring and posting the workman concerned Sri T. V. Divakaran on his promotion as Higher Grade Assistant. The mere fact that in 1987 and 1988 the Section Heads on promotion as Higher Grade Assistants were retained in the same station cannot be taken as a ground to hold that W1 office order was issued with malafides.

11. The Promotion Rules 1987 and the instructions for implementation of the said promotion rules are silent about the posting of section heads on promotions as Higher Grade Assistants on the very same stations. But on the other hand, the said rules & the instructions would show that the Assistants and Section Heads on promotion as Higher Grade Assistants are to be treated on the very same footing. The management is not expected to take differential attitude among the Assistants and Section Heads on promotion as Higher Grade Assistants. So the demand of the union that the section heads on promotion as Higher Grade Assistants must be retained on the very same station cannot be accepted. It is to be noted that as per W1 order dated 20-4-89 the Assistants on promotion as Higher Grade Assistants have been transferred to various places. If that be so, the section heads are also liable to be transferred to various places on their promotion as Higher Grade Assistants. Another important aspect to be noted at this juncture is the existence of the post of Higher Grade Assistants in the branch at Vandiperiyar. So the management is bound to fill up the vacancies of Higher Grade Assistants available at Vandiperiyar branch office of the LIC. Admittedly there are no other section heads working at Vandiperiyar branch to be promoted as Higher Grade Assistants. So in this

circumstance somebody must be posted as Higher Grade Assistants at Vandiperiyar Branch office. The Assistants by name Sri V. Damodaran Unni working at branch office Palakkad has been posted at Vandiperiyar branch office on his promotion as Higher Grade Assistant. Another Assistant by name N.A. Menon working at branch office No. 2 Palakkad has been posted at Vandiperiyar on his promotion as higher grade assistant. Likewise the Assistant by name K. R. Xavier who was working at Ernakulam Branch has been posted at Vandiperiyar branch office, on his promotion as Higher Grade Assistant. Thus, three of these assistants on promotion as Higher Grade Assistants have been posted at Vandiperiyar by virtue of the order dated 20-4-89. The section Head by name Sri S. Mani who was working at branch office No. 1, Palakkad has been posted at Divisional Office Ernakulam, on his promotion as Higher Grade Assistant, as per Ext. W1 order dated 20-4-89. But he has not challenged the legality or sustainability of the order dated 20-4-89. But only the workman concerned Sri T. V. Divakaran has challenged his posting at Vandiperiyar, on his promotion as Higher Grade Assistant. So the available circumstance would make it crystal clear that there was no arbitrariness or indiscrimination in issuing the office order dated 20-4-89 by the senior Divisional Manager of LIC of India, Ernakulam Division. So I do not find any illegality or arbitrariness in transferring and posting Sri T. V. Divakaran at Vandiperiyar, on his promotion as Higher Grade Assistant if that be so, the order No. 3/89-90 dated 20-4-89 issued by the Senior Divisional Manager of LIC of India Ernakulam Division is to be upheld as legal, valid and justifiable. Hence I do so. The workman concerned Sri T.V. Divakaran is not entitled to any of the reliefs claimed in this case. The point is answered accordingly.

11. In the result, the action of the management of LIC of India Ernakulam Division in transferring Sri T. V. Divakaran, Section Head working in the Ottapalam Branch on his promotion as Higher Grade Assistant to the Vandiperiyar branch vide office order No. 3/89-90 dated 20-4-89 is justified. The workman concerned Sri T. V. Divakaran is not entitled to any relief from the management. An award is passed accordingly.

Ernakulam M.V. VISWANATHAN, Presiding Officer
17/6/95 Appendix

Witness examined on the side of Union :

WW1 Sri Jacob P. Antony.

Exhibits marked on the side of Management :

Ext. M1 Copy of the office order No. 3/89-90 dated 20-4-89 of the management.

Ext M2 Copy of the office order No. 3/88-89 dated 27-5-88 of the Management.

Ext M3 Copy of the Office Order No. 50/86-87 dated 21-3-87 of the Management.

Ext. M4. Copy of the office order dated 25-5-89 of the management.

Ext. M5. Copy of the office order dated 17-6-88 of the management.

Ext. M6 Copy of the office order dated 4-4-87 of the Management.

Ext. M7. Instructions for implementations of Life Insurance Corporation of India Class III & Class IV Employees Promotion, Rules, 1987.

Exhibits marked on the side of Union :

Exhibit. W1. Copy of office order dated 20-4-89 of the Management.

Ext. W2. Copy of office order dated 27-5-88 of the management.

Ext. W3. Copy of office order dated 21-4-87 of the management.

Ext. W4. Copy of Promotion Rules 1987 of Class III & Class IV Employees of the Management.

Ext. W5. Copy of office order dated 4-4-87 of the management.

Ext. W6. Copy of office order dated 17-6-88 of management.

Ext. W7 Copy of office order dated 25-5-89 of the management.

नई दिल्ली, 12 मई, 1995

का. आ. 1544.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण, में, केन्द्रीय सरकार मैसर्स हिन्दुस्तान कापर लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. -1, धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-5-95 को प्राप्त हुआ था।

[संख्या एल-43012/1/93-आई आर (विविध)]

बी. एस. डेविड, डेस्क अधिकारी

New Delhi, the 12th May, 1995

S.O.1544.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, (No.D, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Hindustan Copper Ltd., and their workmen, which was received by the Central Government on 10-5-95.

[No. L-43012/1/93-IR (MISC)]

B.M. DAVID, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under section 10(1)(d) 2(A) of the Industrial Disputes Act, 1947

Reference No. 123 of 1994

Parties: Employers in relation to the Management of M/s. Hindustan Copper Ltd.

AND

Their Workmen.

Present: Shri P.K. Sinha.
Presiding Officer.

Appearances:

For the Employers	Shri B. Joshi, Advocate
For the Workmen	None

State : Bihar Industry : Coal.

Dated, the 3rd May, 1995

AWARD

By Order No. L-43012/1/93-IR. (Misc.) dated 10-5-1994 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause(d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of M/s. HCL in dismissing Shri Kamlesh Prasad Rai w.c.f. 7-6-93 justified ? If not to what relief the workman is entitled?".

2. The dispute has been settled out of the Tribunal. A memorandum of settlement has been filed in this tribunal I have gone through the terms of settlement and find those to be fair and reasonable. I allow the prayer and render an award in terms of the settlement. The memorandum of settlement shall form part of this award.

3. Let a copy of this award be sent to the Ministry as required under Sec. 15 of the Industrial Disputes Act, 1947.

P.K. SINHA, Presiding Officer

BEFORE THE PRESIDING OFFICER, THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1

Ref : No. 123/94

Employer in relation to the Management of M/s. Hindustan Copper Limited, Rekha Copper Project;

Their workman, Sri Kamlesh Prasad Roy, Peon, T.No. 443

PETITION OF COMPROMISE

The humble petition on behalf of the parties above named most respectfully sheweth :—

1. That the above dispute has been amicably settled between the parties on the following terms :—

TERMS OF SETTLEMENT

- a. That the concerned workman accepted his guilt and prayed for mercy on him.
- b. That the Management accepted his mercy petition and reinstated him on his original job. He was downgraded as a measure of punishment showing leniency on him.
- c. That the concerned work man has accepted the punishment and has settled his dispute finally.
- d. That in view of the above settlement there exists no further dispute.

Under the facts and circumstances stated above the Hon'ble Tribunal will be graciously pleased to accept the settlement as fair and proper and be pleased to pass award in terms of the settlement.

For the workman
(Kamlesh Prasad Roy)
T.No. 443, Peon,
Rakha Copper Project.

For the Employer
(D. Biswas)
Dy. General Manager (Mines)
Hindustan Copper Limited,
Rakha Copper Project.

Witness:

- | | |
|--|---------------------------|
| 1. Rash Bihari Mahato
(T./No. 9107) | 1. Awdeshwar Prasad |
| 2. Jajmini Kant Mahato
T. No. 37 | 2. Birendra Nath Karmakar |

नई दिल्ली, 12 मई, 1995

का. ग्रा. 1545.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय में, केन्द्रीय सरकार म/स पाण्डे स्टोन वर्क्स, के प्रबन्धकों के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं. 1, धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-5-95 को प्राप्त हुआ था।

[संख्या एल-29012/9/93-आई आर (मिस.)]

बी. एम. डेविड, डेस्क अधिकारी

New Delhi, the 12th May, 1995

S.O. 1545 :—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, (No. 1), Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Pandey Stone Works and their workmen which was received by the Central Government on 10-5-75.

[No. L-29012/9/93-IR (Misc.)]

B.M. DAVID, Desk Officer,

Annexure

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1,

DHANBAD

In the matter of a reference under section 10(1)(d)(2A) of the Industrial Disputes Act, 1947.

Reference No. 27 of 1994.

Parties : Employers in relation to the management of
M/s. B.N. Pandey Stone Works.

AND

Their Workmen.

Present : Shri P.K. Sinha,
Presiding Officer.

Appearances :

For the Employers : None.

For the Workmen : Shri Yogendra Prasad Singh,
General Secretary.

State : Bihar.

Industry : Stone Quarry.

Dated, the 3rd May, 1995.

AWARD

By Order No. L—29012/9/93-IR(Misc.) dated 1-3-1994 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2-(A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute, for adjudication to this Tribunal :

"क्या प्रबंधन में. बी. एन. पाण्डेय स्टोन वर्क्स द्वारा विनांक 18.5.92 से 17-5-92 तक बिना सूचना 24 कर्मचारों को (सूची संलग्न) कार्य से रोक देना क्या उचित एवं न्यायप्रद है? अगर नहीं तो कर्मकार किस अनुलोच का हकदार है?"

2. The dispute has been settled out of the Tribunal. A memorandum of settlement has been filed in this Tribunal. I have gone through the terms of settlement and I find those to be fair and reasonable. I allow the prayer and render an award in terms of the settlement. The memorandum of settlement shall form part of this award.

3. Let a copy of this award be sent to the Ministry as required under Sec. 15 of the Industrial Disputes Act, 1947.

P.K. SINHA Presiding Officer.

सेवा में,

श्रीमान पीठासीन अधिकारी, केन्द्रीय सरकार,
औद्योगिक न्यायाधिकरण—सह-श्रम न्यायालय,
सं०-1, धनबाद।

विषय :—मुकदमा सं०-27/74/10, आदेश सं० —290 12/9/93/आई आर /एफ आई एस सी विनांक 1-3-94 के सम्बन्ध में।

महोदय,

आवेदन पत्र के माध्यम से आपका ध्यान मैसेज बी०एन० पाण्डेय स्टोन वर्क्स की ओर आकृष्ट करते हुए कहना है कि

मैंने उक्त फर्म के मजदूरों के पक्ष में औद्योगिक विवाद उठाया था जिसका मुकदमा सं०-27/74/10 है और उसका आदेश सं०-L-29012/9/93/आई आर/एफ आई एस सी/दिनांक 1-3-94 है के सम्बन्ध में कहना है कि कम्पनी विवाद तथा सधन वार्ता के पश्चात् द्विपक्षीय वार्ता द्वारा समझौता सम्पन्न हो गया जिसकी प्रति आवेदन पत्र के साथ संलग्न है।

अतः श्रीमान से अनुरोध है कि उक्त मुकदमा को समाप्त कर दिया जाए क्योंकि अब प्रबन्धन तथा मजदूरों के बीच विवाद नहीं रहा।

आपका विश्वास भाजन

(योगेन्द्र प्रसाद सिंह)

महामंत्री

राष्ट्रीय क्योरिज खदान श्रमिक संघ, ग्राम—

टेलीग्राफ रोड पो० — जिला— साहिबगंज।

औद्योगिक विवाद अधिनियम, 1947 की धारा 10 के अन्तर्गत दिनांक 16-8-94 को द्विपक्षीय वार्ता द्वारा समझौता मैसर्स—बी०एन० पाण्डेय स्टोन वर्क्स, महाराजपुर एवं राष्ट्रीय क्वेरीज खदान श्रमिक संघ, साहिबगंज के बीच सम्पन्न हुआ।

प्रबन्धन प्रतिनिधि	यूनियन प्रतिनिधि
श्री अनील कुमार मुखर्जी,	योगेन्द्र प्रसाद सिंह, महामंत्री
मैनेजर	राष्ट्रीय क्वेरीज खदान श्रमिक
मैसर्स—बी०एन० पाण्डेय	संघ ग्राम—टेलीग्राफ रोड,
महाराजपुर, साहिबगंज	साहिबगंज

समझौता का संक्षिप्त विवरण

महामंत्री, राष्ट्रीय क्वेरीज खदान श्रमिक संघ, साहिबगंज ने अपने एक आवेदन पत्र के द्वारा कामगार :—

1. परशुराम मण्डल
2. रघुनाथ मण्डल
3. लक्खी राम मरांडी
4. समुएल मराण्डी
5. जय राम राय
6. सनातन रजवार
7. सालू मण्डल
8. जगदीश मण्डल
9. मिमाय खन्ना मण्डल
10. बुखू मण्डल
11. रामजीत रिरव्यासम
12. मंजू देवी

13. मुन्ती देवी
14. मुन्ती लाल मुनी
15. गोरी देवी
16. बनारसी मोसोनात
17. अंजनी देवी
18. चमेली खातून
19. सोनिया
20. पोलिस किस्कू
21. जीराना खातून
22. विनोद
23. दुहिता
24. दिलीप

आदि मजदूरों को दिनांक 1-5-92 को अचानक काम से निकाले जाने तथा दिनांक 26-5-92 यानी 26 दिनों के बाद पुनः काम में लिए जाने के पश्चात् बड़े दिनों की मुआवजा तथा हाजरीकांड को लेकर एक औद्योगिक विवाद प्रबन्धन मैसर्स बी०एन० पाण्डेय के खिलाफ उठाया था। प्रबन्धन का कहना था कि वन विभाग से वन प्रमण्डल पदाधिकारी, साहिबगंज द्वारा यह निर्देश आया था कि खनन कार्य बन्द कर दिया जाय जिसके चलते कार्य को बन्द कर दिया गया था। पुनः जब कानूनी अडचने समाप्त हुई तो उक्त मजदूरों को काम पर रख लिया गया। अतः प्रबन्धन को कोई जवाबदेही नहीं बनती है। यूनियन ने वन विभाग जाकर वन प्रमण्डल पदाधिकारी से तहकिकान किया तो पता चला कि प्रबन्धन का कहना सही है और प्रबन्धन मजदूरों को काम से जानबूझ कर नहीं बैठाया था बल्कि प्रबन्धन को कुछ कानूनन कठिनाइयाँ आ गयी थी।

समझौता की शर्तें

प्रबन्धन ने उक्त 24 मजदूरों को बड़े दिनों की मुआवजा बतौर राशि नगद भुगतान किया।

चूंकि 24 मजदूरों में पुरुषों को हाजरी कांड या और जिल्हे नहीं या उक्त तमाम मजदूरों को हाजरी कांड भी दिया गया। इस प्रकार प्रबन्धन तथा मजदूरों में पुनः मधुर सम्बन्ध स्थापित हो गया तथा मजदूर अब मालिक में किली प्रकार का विवाद नहीं रहा।

मुआवजा प्राप्त किया मजदूरों प्रबन्धन प्रतिनिधि का ह०

गवाह

1. राम वचन सिंह
2. उदय नन्द पाण्डेय

यूनियन प्रतिनिधि

महामंत्री

(योगेन्द्र प्रसाद सिंह)

राष्ट्रीय क्वेरीज खदान श्रमिक संघ

नई दिल्ली, 12 मई, 1995

नई दिल्ली, 12 मई, 1995

का.आ. 1546.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार टेलीग्राफ विभाग के प्रबन्धन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-5-95 को प्राप्त हुआ था।

[संख्या एल-40012/206/93-आईआर (डीयू)]
के.वी.बी. उन्नी, डेस्क अधिकारी

New Delhi, the 12th May, 1995

S.O. 1546 :—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of Telegraph Deptt. and their workmen, which was received by the Central Government on 9-5-95.

[No. L-40012/206/93-IR(DU)]
K.V.B. UNNY, Desk Officer

ANNEXURE

BEFORE SH. GANPATI SHARMA : PRESIDING
OFFICER : CENTRAL GOVT.
INDUSTRIAL TRIBUNAL : NEW DELHI

I.D. No. 6/95

In the matter of dispute between
Shri Devender Singh S/o. Shri Ranzor Singh
98 Block 2 Chukhwala Dehradun.

Versus

Sub Divisional Officer, Telegraph
121/2, Basant Vihar, Dehradun.
Appearance : None for the workman.
Shri Deepak Kumar for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-40012/206/93/IR(DU) dated 28-12-94 has referred the following industrial dispute to Tribunal for adjudication:

“Whether the action of the management of Telegraphs Department in terminating the services of Shri Devender Kumar s/o Shri Ranzor Singh, Daily Wages, w.e.f. 29-12-1990 is legal and justified? If not, to what relief the workman is entitled to?”

2. Notice was sent to the workman which was received by him and acknowledgment due was received from him duly signed by him. He did not appear on the date fixed nor anybody on his behalf attended the court. It appears that the workman was not interested in proceeding further with the matter. Hence no dispute award is given leaving the parties to bear their own costs.

4-4-1995

GANPATI SHARMA, Presiding Officer

का.आ. 1547.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार उत्तर रेलवे, जोधपुर के प्रबन्धन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में औद्योगिक अधिकरण, जोधपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-5-95 को प्राप्त हुआ था।

[संख्या एल-41012/1/90-आईआर (बी-1)]
पी.जे. माइकल, डेस्क अधिकारी

New Delhi, the 12th May, 1995

S.O. 1547.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Jaipur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Uttar Rly., Jodhpur and their workmen, which was received by the Central Government on 10-5-95.

[No. L-41012/1/90-IR(B)I]
P. J. MICHAEL, Desk Officer

अनुबंध

औद्योगिक विवाद अधिकरण एवं श्रम न्यायालय,

जोधपुर

पीठासीन अधिकारी :—श्री शंकरलाल जैन, आर. एच. जे. एस.
केन्द्रीय औद्योगिक विवाद नं. 5/1992

शंकरलाल पुत्र नैनाराम शर्मा जाट निवासी गांव जाजीवाल
गहलोवाण पोस्ट जाजीवाल कला तहसील व जिला जोधपुर।
—प्रार्थी

बनाम

छिजीवाल रेलवे मैनेजर, उत्तर रेलवे, जोधपुर —प्रार्थी

उपस्थिति :—

- (1) प्रार्थी की ओर से श्री डी. के. परिहार —एडवोकेट डा.
- (2) विपक्षी के विरुद्ध कार्यवाही इत्तरफा।

अधिनियम

दिनांक 27-4-1995

श्रम मंत्रालय भारत सरकार, नई दिल्ली द्वारा निम्न विवाद
वास्ते अधिनियम इस न्यायालय को प्रेषित किया है :—

“Whether the action of the management of Northern Railway Jodhpur Division in terminating the services of Shri Bhanwar Lal S/o. Shri Naina Ram, Gangman under P.W.I.—Dhanera, Northern Railway Jodhpur w.e.f. 6-1-86 is justified? If not what relief is the worker concerned entitled to and from what date?”

2. प्रार्थी ने अपना मांग-पत्र दिनांक 6-1-1993 को प्रस्तुत कर यह अभिकथित किया है कि उसकी नियुक्ति कंजुअल लेबर गैंगमैन के पद पर रेल पथ निरीक्षक के अधीन धनेरा में की गई थी प्रार्थी गैंगमैन नम्बर-29 में दिनांक 4-5-1980 को नियुक्त हुआ, दिनांक 15-4-84 को प्रार्थी को अस्थाई गैंगमैन का वेतन गैंगमैन की पे-स्केल में अप्रार्थी ने प्रार्थी को दिया। आगे कहा है कि दिनांक 5-1-1986 को प्रार्थी को बिना एक माह का नोटिस दिये व बिना धारा 25-एफ औद्योगिक विवाद अधिनियम, 1947 की प्रावधानों की पालना किये, बिना छंटनी मुआवजा अर्थात् किये सेवा से पृथक् कर दिया जब कि उसने उस समय लगातार 797 दिन की सेवा पूर्ण कर ली थी। अतः प्रार्थना की है कि प्रार्थी को सेवा से पृथक् करने की तारीख से मध्य पिछले वेतन व लगातार सेवा में पुनर्स्थापित किया जावे।

3. दिनांक 6-5-1993 को विपक्षी हाजिर आया व जवाब के लिए समय चाहा तथा वकील नारायणसिंह ने अपनी उपस्थिति दी। दिनांक 20-10-93 को प्रार्थी की ओर से धारा 36 की दरखास्त पेश की गई जिस पर दोनों पक्षों की बहस धारा 36 पर सुनी जाकर दिनांक 25-8-94 को यह आदेशित किया गया कि श्री नारायणसिंह एडवोकेट विपक्षी नियोजक की पैरवी करने से बाधित है तत्पश्चात् विपक्षी की ओर से कोई उपस्थित नहीं हुआ जिस पर दिनांक 2-2-1995 को विपक्षी के विरुद्ध कार्यवाही इकतरफा अमल में लाये जाने का आदेश दिया गया है।

4. प्रार्थी ने अपनी एकपक्षीय साक्ष्य में अपना शपथ-पत्र प्रस्तुत किया है जिसमें उसने स्पष्ट रूप से कहा है कि वह कंजुअल लेबर गैंगमैन के पद पर अधीन रेल पथ निरीक्षक, उत्तर रेलवे, धनेरा के तहत धनेरा में गैंगमैन नम्बर-29 में दिनांक 4-5-1980 को नियुक्त हुआ, 15-4-84 को उसे अस्थाई गैंगमैन का वेतन गैंगमैन की पे-स्केल में अप्रार्थी ने दिया तथा उसे दिनांक 5-1-1986 को बिना धारा 25-एफ औद्योगिक विवाद अधिनियम के प्रावधानों की पालना किये, बिना एक माह का पूर्व नोटिस व नोटिस वेतन दिये सेवा से पृथक् कर दिया जब कि उसने उस समय तक 797 दिन की लगातार सेवा पूर्व कर ली थी। प्रार्थी ने दस्तावेजी साक्ष्य में प्रथम नियुक्ति से समय भरा जाने वाला वैयक्तिक ब्यौरा की फोटो प्रति पेश की है।

5. मैंने प्रार्थी के विद्वान अधिवक्ता की बहस सुनी व पत्रावली का ध्यानपूर्वक अवलोकन किया। प्रार्थी द्वारा प्रस्तुत प्रथम नियुक्ति के समय भरा जाने वाला वैयक्तिक ब्यौरा यह भली-भांति प्रकट होता है कि प्रार्थी को अस्थाई श्रमिक के रूप में रेल पथ निरीक्षक, उत्तर रेलवे, लूनी जंक्शन द्वारा नियुक्त किया गया। इस पर प्रार्थी का अंगुस्त निशान है और इसको अटैस्टेड रेल पथ निरीक्षक ने किया है।

स्वयं प्रार्थी ने अपने शपथ-पत्र में स्पष्ट रूप से कहा है कि उस गैंग नम्बर 29 में दिनांक 4-5-1980 को नियुक्त किया गया था और उसने लगातार 5-1-86 से पूर्व 797 दिन की सेवा पूर्ण कर ली थी, लेकिन उसे बिना कोई मुआवजा दिये, बिना एक माह का पूर्व नोटिस व नोटिस वेतन दिये दिनांक 4-1-86 को सेवामुक्त कर दिया। विपक्षी की ओर से उपस्थित होकर प्रार्थी के मांग-पत्र व शपथ-पत्र का कोई खण्डन नहीं किया गया है अतः प्रार्थी के अखण्डित शपथ पत्र पर अविश्वास करने का कोई कारण नजर नहीं आता। विधि की यह सुस्पष्ट स्थिति है कि किसी श्रमिक द्वारा विपक्षी नियोजक के अधीन लगातार 240 दिन से अधिक पिछले एक वर्ष में सेवा अवधि पूर्ण कर लिये जाने पर उसे सेवामुक्त करने से पूर्व धारा 25-एफ औद्योगिक विवाद अधिनियम के प्रावधानों की पालना करना आवश्यक है उसके अभाव में की गई सेवामुक्ति अनुचित एवं अवैध हो जाती है। प्रार्थी के मांग-पत्र व शपथ पत्र से यह भली-भांति सिद्ध है कि प्रार्थी ने 4-5-1980 से 5-1-86 तक विपक्षी के अधीन लगातार 797 दिन की सेवा अवधि पूर्ण कर ली थी अतः हस्तगत मामले में प्रार्थी को विपक्षी नियोजक द्वारा बिना नोटिस, नोटिस वेतन व छंटनी मुआवजा दिये सेवा से पृथक् करना अनुचित एवं अवैध है। मेरी राय में प्रार्थी पुनः सेवा में स्थापित किये जाने व समस्त देय परिणाम प्राप्त करने का अधिकारी है।

अधिनिर्णय

6. अतः यह अधिनिर्णय किया जाता है कि डिवीजनल रेलवे मैनेजर, उत्तर रेलवे, जोधपुर द्वारा प्रार्थी श्रमिक भंवर लाल पुत्र श्री नैनाराम गैंगमैन पी डब्ल्यू आई धनेरा, उत्तर रेलवे, जोधपुर को 6-1-86 से सेवा में पृथक् करना अनुचित एवं अवैध है। अतः आदेशित किया जाता है कि विपक्षी नियोजक प्रार्थी को तुरन्त सेवा में पुनर्स्थापित करे, प्रार्थी सेवा निरस्तर मानी जावेगी, प्रार्थी सेवामुक्ति की अवधि से सेवा में पुनर्स्थापित किये जाने तक की अवधि का पूर्ण वेतन भी प्राप्त करने का अधिकारी घोषित किया जाता है।

7. इस अधिनिर्णय की एक प्रति वास्ते सूचना एवं प्रकाशनार्थ श्रम मंत्रालय भारत सरकार, नई दिल्ली को भेज दी जावे।

शंकरलाल जैन, न्यायाधीश

औद्योगिक विवाद अधिकरण एवं
श्रम न्यायालय, जोधपुर (केन्द्रीय)

8. यह अधिनिर्णय आज दिनांक 27-4-1995 को खुले न्यायालय में हस्ताक्षर कर सुनाया गया है।

शंकर लाल जैन, न्यायाधीश

नई दिल्ली 12 मई, 1995

AWARD

का. आ. 1548.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नडुंगदी बैंक लि. के प्रबन्धन के संबंध में नियोजकों और उनके कर्मचारों के बीच अनुबंध में निहित औद्योगिक विवाद में लेबर कोर्ट, एर्नाकुलम के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10 मई, 1995 को प्राप्त हुआ था।

[संख्या एल-12011/4/90-आई आर (बी आई)]
पी. जे. माईकल, डेस्क अधिकारी

New Delhi, the 12th May, 1995

S.O. 1548.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Labour Court Ernakulam as shown in the Annexure, in the industrial dispute between employers in relation to the management of Nedungadi Bank Ltd., Ernakulam and their workmen, which was received by the Central Government on 10-5-95.

[No. L-12011/4/90-IR(BI)]

P. J. MICHAEL, Desk Officer
ANNEXURE

IN THE CENTRAL GOVERNMENT LABOUR
COURT, ERNAKULAM
(Labour Court, Ernakulam)

(Tuesday, the 28th day of February, 1995)

PRESENT :

Shri. M. V. Viswanathan, B.Sc., LL.B.,

Presiding Officer

Industrial Dispute No. 6 of 1990(C)

BETWEEN

The Assistant General Manager, the Nedungadi
Bank Ltd., Regional Office, T. D. Road
Ernakulam, Cochin-682011.

AND

Shri. M. C. Ravi, Door No. XXXIV/320, Neduvilanparambil, Near Malayala Manorama
Ernakulam, Cochin-682016

REPRESENTATIONS :

Sri. K. P. Balasubramaniam,
Advocate, Athiparambil Lane,
36/1360, Kaloore, Cochin-17.—For Management
Sri. T. A. Rajan, Advocate,

Amulia Street, Cochin-18. —For Workman
1188 GI/95—13

This industrial dispute was referred to this court by the Central Government as per order No. L-12011/4/90-IR(B)-I dated 9-4-1990. The dispute is between the management of Nedungadi Bank Ltd., Ernakulam and their workman Sri. M. C. Ravi, Sub-staff of the Nedungadi Bank Ltd., Regional Office, Ernakulam. The issue referred for consideration is "Whether the action of the management of the Nedungadi Bank Ltd., Regional Office, Ernakulam, Cochin in discharging Shri M. C. Ravi Sub-Staff from service w.e.f. 31-10-1988 is justified? If not, to what relief the workman concerned is entitled?"

2. The concerned workman Sri. M. C. Ravi was working as a peon in the management bank at their Ernakulam Main Branch. While so, he was charged vide charge sheets dated 13-10-87 and 21-1-88 alleging misconducts. The workman concerned Sri. M. C. Ravi submitted his reply to the charge sheets. The management was not satisfied with the explanations submitted by the workman concerned. So a domestic enquiry was ordered into the charges levelled against the workman concerned. The enquiry officer conducted the domestic enquiry and found the workman guilty of the charges of misconduct. The management accepted the findings of the enquiry officer and proposed to impose the punishment of dismissal from service. The workman was heard on the question of punishment and thereafter the management decided to impose the punishment of discharge from service. Thus the workman was discharged from service with effect from 31-10-88.

3. The concerned workman Sri. M. C. Ravi raised an industrial dispute challenging his discharge from service of the management bank and it culminated in the present reference by the Central Government.

4. Notice of the above order of reference was served on the management and the workman and both the parties entered appearance. The workman filed claim statement before this court and thereby he challenged the legality and validity of the domestic enquiry and the findings thereon. He has also disputed the legality of the punishment of discharge imposed on him. On the other hand, the management filed a counter statement and thereby the management supported the domestic enquiry and its findings. The management has further contended that the punishment of discharge imposed on the workman concerned is only just and proper.

5. Since the concerned workman Sri M. C. Ravi challenged the legality and validity of the domestic enquiry and its findings, this court was pleased to consider the legality and validity of the domestic enquiry and its findings as a preliminary point. This court has set aside the domestic enquiry vide preliminary order of this court dated 20th December, 1994. So the management was given opportunity to adduce further fresh evidence to substantiate the charges levelled against the workman concerned.

6. Subsequent to the preliminary order dated 20-12-94, the management adduced further evidence

to substantiate the charges levelled against the workman concerned.

7. The management issued two charge memos against the workman concerned. The charge memo dated 13-10-87 is marked as Ext. M16 and the supplementary charge memo dated 21-1-88 is marked as Ext. M17. Ext. M16 charge memo dated 13-10-87 reads as follows :

"You have been deputed to the District Treasury for local collection of the following pension bills and though the proceeds were received from the Treasury on the dates mentioned below the same were remitted by you in the bank on the dates shown below thereby fraudulently appropriated the proceeds of the bills unauthorisedly.

L.C. No. & Name	Date of presentation	Amount	Date of payment in pension payment order	Date on which cash remitted by M.C. Ravi
1. 122—Smt. Sosamma Neogi (Dt. Treasury)	5 th 87	Rs. 814/-	14 th 87	20-8-1987
2. 123 V. Parmeswaran (Dt. Treasury)	5 th 87	Rs. 500/-	14 th 87	20 th 87
3. 124 K. N. Narayanan Nambudiri	5 th 87	Rs. 367/-	14 th 87	19 th 87
4. 127 R. Gopalakrishna Iyer (Dt. Treasury)	19 th 87	Rs. 718/-	19 th 87	20 th 87

2. You with dishonest intention to make unlawful gains to you and unlawful loss to the Bank managed to get Rs. 30,000 from the cashier of the branch on 15-7-1987 fraudulently misrepresenting that a cheque for the amount would reach her hands immediately through the office process knowing full well that no such cheque is presented in the bank, and when demanded by the cashier for the cheque, to return the cash to the bank you raised the amount from another staff member dishonestly represented that the party to whom the cash was given did not turn up with cheque.

3. Your aforesaid actions are prejudicial to the interest of the Bank and subversive of its discipline."

8. The charge memo dated 21-1-88 is as follows :

"IA. You have been deputed to the District Treasury for local collection of the following bills and though the proceeds was received from the treasury on the dates mentioned below, the same were remitted by you in the bank on the dates shown below and thereby fraudulently appropriated the proceeds of the bills unauthorisedly.

L.C. No.	Date of representation	Amount	Date of encashment from Treasury	Date on which cash remitted by you
LC 513/86	5 th 86	Rs. 16,268/-	13 th 86	2 nd 87
LC 3/87	7 th 87	Rs. 7257/40	13 th 87	2 nd 87
LC 44/87	20 th 87	Rs. 14 187/-	27 th 87	29 th 87
LC 45/87	24 th 87	Rs. 11,178/70	27 th 87	29 th 87
LC 58/87	29 th 87	Rs. 52,857/85	29 th 87	7 th 87"

9. The workman submitted an explanation to the above said charge memos and thereby he denied the charges levelled against him. The explanation dated 3-2-88 submitted by the workman is marked as Ext. M 18.

10. The material points for consideration are (1) Whether the workman concerned Sri M. C. Ravi has fraudulently appropriated the proceeds of the bills/cheques unauthorisedly in connection with the local collection of the (bills/cheques) L.C. No. 122/87, L.C. No. 123/87, L.C. No. 124/87, L.C. No. 127/87, L.C. No. 513/86, L.C. No. 3/87, L.C. No. 44/87, L.C. No. 45/87 and L.C. No. 58/87; (2) Whether there was any dishonest intention or fraudulent misrepresentation or dishonest representation on the part of the workman concerned Sri M. C. Ravi in getting Rs. 30,000 from the cashier of the Ernakulam main branch on 15-7-1987? If so, whether the workman is guilty of the second charge in

the charge memo dated 13-10-1987? (3) Whether the workman concerned Sri M. C. Ravi has committed any actions which are prejudicial to the interest of the management bank and subversive of its discipline. (4) whether the action of the management bank of the Nedungadi Bank Ltd., in discharging Sri M. C. Ravi, Sub-Staff from service with effect from 31-10-88 is justified? If not, the reliefs to which the workman concerned is entitled?

11. The evidence in this case consists of the oral testimony of MWs 1 to 4 and Exts. M1 to M31, X1 to X5 and X1(a) to X5(a). The workman concerned has not adduced any oral evidence before this court. But he was examined before the enquiry officer and his deposition recorded by the enquiry officer is incorporated in Ext. M1 enquiry file. Exts. M2 to M31 are the documents marked on the side of management bank.

12. Point No. 1 : The case of the management is that the local collection bills/cheques mentioned in the Exts. M16 and M17 charge memos were presented by the workman concerned Sri M. C. Ravi at the District Treasury and he received the amounts covered by the said local collection bills/cheques on the respective dates mentioned in the above charge memos ; that the workman remitted the said amounts only subsequently as shown on the days mentioned in the above said charge memos. Thus according to the management L.C. No. 122 was presented on 5-8-1987 and the amount of Rs. 840 covered by the said instrument was received by the workman from treasury on 14-8-1987 ; that the said amount was remitted by the workman on 20-8-1987 only ; that there was a temporary misappropriation of the said sum of Rs. 840. Likewise there were temporary misappropriations of the amounts covered by the various instruments mentioned in the charge memos.

13. The management has relied on the testimony of MW2, MW3 and MW4, to substantiate the charges levelled against the workman concerned Sri M. C. Ravi. MW4 is the District Treasury Officer, District Treasury, Ernakulam. This witness has deposed about the date of presentation of the instruments namely L.C. No. 513/86, L.C. 3/87, L.C. 44/87, L.C. 45/87 and L.C. 58/87. She has also deposed about the date of encashment of the said instruments. The evidence of MW4 would show that L.C. 513/86 instrument was encashed on 20-10-1986 and the amount covered by the said instrument was Rs. 16,268. Her evidence would also show that L.C. 3/87 instrument for a sum of Rs. 7257.40 was encashed on 13-1-1987, that instrument L.C. No. 44/87 for a sum of Rs. 14,187 was encashed on 27-3-1987, that the instrument L.C. 45/87 for a sum of Rs. 11,178.70 was encashed on 27-3-1987 and that the instrument L.C. 58/87 for a sum of Rs. 52,857.85 was encashed from the Treasury on 29-4-1987. The testimony of MW4 is based on Exts. X1 to X5 and X1(a) to X5(a) documents maintained at the District Treasury Office, Ernakulam. She has also deposed about the issuance of Ext. M9 letter by the then District Treasury Officer, Ernakulam to the Manager, Nedungadi Bank Ltd., Market Road, Ernakulam. MW4 has deposed about the mistake in Ext. M9 letter regarding the date of encashment of the instrument for Rs. 16,268. In Ext. M9, the date of encashment is shown as 13-10-1986. But she has deposed that the correct date of encashment of the said instrument was on 20-10-1986. Ext. X1(a) entry in Ext. X1 payment subsidiary register would establish this fact. I do not find any ground to disbelieve the testimony of MW4. The testimony of this witness is to be held as independent and impartial. There is no reason or ground to doubt the veracity of the evidence given by MW4. It is further to be noted that the oral testimony of MW4 is corroborated by documentary evidence. So the evidence of MW4 would establish the fact regarding the date of encashment from the Treasury on the instruments L.C. 513/86, LC 3/87, LC 44/87, LC 45/87 and LC 58/87, mentioned in Ext. M17 charge memo. It is further to be noted that this witness was not in a position

to depose about the date of encashment of the pension bills mentioned in Ext. M16 charge memo. She has deposed that in order to give the details regarding the pension bills, she has to go through pension payment registers. But she could not bring the pension payment registers because the pension numbers were not available with her.

14. MW3 is the present Manager of Ernakulam Main Branch of the management. This witness was the Additional Manager of the branch during the relevant period i.e. 1987-88. This witness has deposed about his acquaintance with the workman concerned Sri M. C. Ravi. He has deposed that the workman Sri M. C. Ravi was a sub-staff of Ernakulam Main Branch of the management bank. He further deposed that the workman concerned Sri M. C. Ravi had been deputed to Government Treasury for local collection of bills and cheques. MW3 has categorically deposed that the instruments LC 122/87, LC 123/87, LC 124/87 and 127/87 were entrusted with the workman concerned and thereby he was deputed to the Treasury for presentation of the said instruments and also for collection of the amounts covered by the said instruments. He further deposed that instrument LC 122/87 was entrusted with the workman concerned Sri M. C. Ravi on 5-8-1987 and the amount covered by the said instrument i.e. Rs. 840 was collected from the Treasury on 14-8-87, that the workman remitted the said amount in the bank on 20-8-1987 only. He has also deposed about the date of presentation, date of encashment from the Treasury and the date of remittance of the amounts in the bank in respect of the instruments LC 123/87, 124/87 and 127/87. Thus MW3 has given evidence in support of the allegations levelled against the workman in the first charge in Ext. M16 charge memo. The evidence of MW3 would show that the workman has committed temporary misappropriation of the amounts covered by the instruments LC 122/87, LC 123/87, LC 124/87 and LC 127/87. This witness has deposed about Ext. M31 local collection register. It is deposed by MW3 that entries regarding the local collection are made from page 75 onwards. He has also deposed that Ext. M31 is the prescribed register of demand draft payable. But this register has been used as local collection register because of the fact that the prescribed local collections register was not available with the Ernakulam Main Branch of the management bank. The entries at page 80 of Ext. M31 local collection register would strengthen/corroborate the testimony of MW3 regarding the date of presentation of LC 122, 123, 124 and 127 and also the amounts covered by the said instruments. It would further corroborate the case of MW3 regarding the date of remittance of the amounts covered by the abovesaid instruments in the bank by the workman concerned Sri M. C. Ravi. MW3 has categorically deposed that he is having acquaintance with the initials of the workman concerned Sri M. C. Ravi. He further deposed that the entries at page 80 of M31 register would show that the said instruments were entrusted for local collection with the workman concerned Sri M. C. Ravi and the workman has given his initials in Ext. M31 register for accepting the said instruments.

15. MW3 has further deposed about Exts. M5 to M8 vouchers. This witness has categorically deposed that Exts. M5 to M8 vouchers are submitted by the workman concerned Sri M. C. Ravi for remitting the amounts covered by LC 122, 123, 124 and 127. MW3 is sure that the workman concerned Sri M. C. Ravi put his initials on Exts. M5 to M8 vouchers and these vouchers would show that the amount covered by the abovesaid pension bills were remitted by Sri M. C. Ravi. Ext. M5 is the voucher in respect of LC No. 124 for a sum of Rs. 367. This voucher would show that the said amount was remitted in the bank on 19-8-1987. But Ext. M31 local collection register would show that the said amount was encashed from the Treasury on 14-8-87. MW3 is sure and certain that the initial seen on M5 is that of Sri M. C. Ravi. Ext. M6 is in respect of LC 122/87. This would show that the amount covered by the said LC was remitted in the bank on 20-8-1987 only. But the entries in M31 local collection register would show that the said bill was encashed from the Treasury on 14-8-1987. Ext. M7 is in respect of LC 127/87 for a sum of Rs. 718. This voucher would show that the workman concerned remitted the said amount in the bank on 20-8-1987. But at the same time the entries in Ext. M31 local collection register would show that the amount was received from the Treasury on 19-8-1987. Ext. M8 voucher is in respect of LC 123/87 for a sum of Rs. 500. This voucher would show that the amount was remitted in the bank on 10-8-1987 only. But the entries in M31 local collection register would show that this bill was encashed from the Treasury on 14-8-1987. Thus the evidence on record would show that the workman has committed misconduct of temporary misappropriation of the amounts which he collected from Treasury on the pension bills LC 122/87, 123/87, 124/87 and 127/87. There is no ground to doubt the oral testimony of MW3. The evidence of MW3 is corroborated by the evidence of MW2, the investigating officer, who submitted Exts. M2 to M4 reports. A perusal of the report submitted by MW2 would show that MW2 had conducted a detailed enquiry into the alleged misconducts committed by the workman concerned. A study of the testimony of MW3 and that of his reports M2 to M4 would show that this witness is an independent and impartial witness. There is nothing on record to doubt the veracity of the testimony of this witness. There is no material available on record to show that MW2 and MW3 are having any enmity or ill feelings towards the workman concerned. There is also no ground to discard the entries in Ext. M31, local collection register and Exts. M5 to M8 vouchers produced from the side of the management. Mere fact that there are some irregularities in maintaining Ext. M31 register cannot be taken as a ground to hold that this document is fabricated for the purpose of this case. On the other hand, a careful scrutiny of Ext. M31 register and that of Exts. M5 to M8 vouchers would show that these documents were maintained by the management bank in the ordinary course of their business. I have no hesitation to rely on these documents. Another important aspect to be noted at this juncture is the absence of any contra evidence from the side of the workman concerned. MW3, the then

Additional Manager of the bank has categorically deposed that the initials seen on the relevant entries in Ext. M31 register and the initials seen on M5 to M8 vouchers are that of the workman concerned. This witness is very much competent to speak about the initials of the workman concerned who was a substaff of the branch where this witness was the Additional Manager. But the workman concerned has not come forward to deny the said case of MW3. Thus the evidence on record would show that the workman has caused delay in remitting the amount. This would show that he fraudulently appropriated the proceeds of the said bills mentioned in Ext. M16 charge memo. Thus in effect the workman has committed temporary misappropriation of the proceeds of the above said bills. Thus the management has succeeded in establishing the misconduct alleged against the workman regarding the fraudulent appropriation of the proceeds of the bills LC 122/87, 123/87, 124/87 and 127/87.

16. MW3 has also deposed about the date of remittance of the amounts in the bank by the workman concerned in respect of LC 513/86, 3/87, 44/87, 45/87 and 58/87. The evidence of MW4 and the documentary evidence Exts. X1 to X5 would establish the fact that LC 513/86, 3/87, 44/87, 45/87 and 58/87 were encashed from the Treasury on 20-10-86, 13-1-87, 27-3-87, 27-3-87 and 29-4-87 respectively. The testimony of MW4 is further corroborated by the testimony of MW3. MW3 has deposed about the date of presentation of the above said instruments by the workman concerned and also about the amounts covered by the said instruments. He further deposed about the date of remittance of the amounts covered by the said instruments by the workman. MW3 has categorically deposed that the entries at pages 75, 77 and 78 of M31 local collection register would show the date of presentation of the said instruments and also the remittance of the amounts covered by the said instruments. But there is no entries in Ext. M31 regarding the instrument LC 513/86. The entries at page 76 of M31 local collection register would show that LC 3/87 was presented for collection on 7-1-87 and the amount covered by the said instrument was Rs. 7257.40. The workman concerned has put his initials against these entries. This would give an indication that this instrument was entrusted with the workman concerned for collection. These entries would also show that the amount covered by the said instrument was remitted in the bank on 2-3-1987 only. Likewise the entries at page 77 of M31 local collection register would show that LC 44/87 and 45/87 were presented for collection on 20-3-87 and 24-3-87 respectively. The entries would also show that the amount covered by LC 44/87 was Rs. 14,187 and the amount covered by LC 45/87 Rs. 11,178.70. The initials of the workman against these entries would give an indication that these instruments were entrusted with the workman for collection. These entries would also reveal the fact that the amounts covered by the said instruments were remitted in the bank on 29-4-87 only. The entries at page 78 of M31 local collection register would show that the instrument LC 58/87 for a sum of Rs. 52,857.85 was presented for collection on 29-4-1987. The workman concerned Sri M.

C. Ravi has affixed his initials against these entries. The amount covered by the said instrument was remitted in the bank on 7-7-87 only.

17. The management has further relied on Ext. M10 series of vouchers to substantiate their case that the amounts covered by the said instruments were collected from the Treasury by the workman concerned. M10 series consist of five vouchers. On the back side of 3 of these vouchers the workman has affixed his initials. On the back side of one of the vouchers it is written remitter Sri M. C. Ravi. The workman has put his initial at the bottom of the said writing. On the remaining two vouchers the workman has put his initials against the column deposited by him. MW3, the then Additional Manager of the branch has categorically deposed about the initials of the workman concerned. MW3 has deposed that the proceeds of these instruments were remitted by the workman concerned who was entrusted with the said instruments for collection. The date of remittance is given on these vouchers. The evidence on record would make it crystal clear that the workman has caused delay in depositing the amounts covered by the instruments LC 513/86, 3/87, 44/87, 45/87 and 58/87. Thus the documentary evidence on record is sufficient enough to hold that the workman concerned Sri M. C. Ravi fraudulently misappropriated the proceeds of the instruments referred to in Ext. M17 charge memo dated 21-1-88. This circumstance would show that the workman has committed temporary misappropriation of the proceeds of the amounts covered by the above said instruments. Hence I hold that the workman is guilty of the misconduct of fraudulent appropriation of the proceeds of the bills/cheques unauthorisedly. Hence the point is found against the workman concerned.

18. Point No. 2 : The management has not adduced any acceptable evidence to substantiate the second charge levelled against the workman vide charge memo dated 13-10-87. The evidence on record would only show that the workman concerned received Rs. 30,000 from the cashier of the branch on 15-7-87 and the said amount was remitted by the workman on the very same day i.e. before the closure of the business of that day. MW3 has submitted that there was a practice in the branch the amounts are being collected by the staff from the cashier on the expectation of cheques being presented and passed by the Manager. The definite case of the workman is that he received Rs. 30,000 from the cashier on 15-7-87 on the belief that he will be getting a cheque for the said sum of Rs. 30,000. The further case of the workman is that he did not get the cheque in time and so he borrowed Rs. 28,000 from another staff of the branch and thereby the amount was remitted in the bank in time. There is nothing wrong in taking a loan by the workman. But the management has not succeeded in establishing their case that the workman received Rs. 30,000 from the cashier on 15-7-87 by fraudulent misrepresentation and with dishonest intention. An evaluation of the available circumstance of this case would show that the workman had no dishonest intention while getting Rs. 30,000 from the cashier of the

branch. Had there been any dishonest intention on the part of the workman he would not have remitted the said amount by making some arrangements with another staff and Manager of the branch. He could have very well denied the acceptance of Rs. 30,000/- from the cashier because there was no documentary evidence for the acceptance of Rs. 30,000/- from the cashier of the branch on 15-7-87. So the case of the management that the workman made dishonest representation, that he made fraudulent representation with dishonest intention etc cannot be believed or upheld. Hence I hold that the second charge in the charge memo dated 13-10-87 levelled against the workman concerned is unsustainable. The management has not succeeded in establishing the second charge contained in the charge memo dated 13-10-87. Hence this point is found in favour of the workman concerned.

19. Point No. 3: The findings of the first point would show that the workman has acted against the interest of the bank and the said actions are subversive to discipline. Sri M.C. Ravi being an employee of the management bank was bound to do his duties faithfully and honestly. But the workman concerned miserably failed in performing his duties honestly and faithfully. On the other hand, he made temporary misappropriation of amounts covered by the instruments which were entrusted with him for local collection from the Government Treasury. It is further to be noted that because of the delayed remittance of the proceeds of the instruments prejudice has been caused to the customers of the management bank. The mere fact that the customers concerned did not make any complaint regarding the delay in remitting the amount cannot be taken as a ground to hold that the said actions are not prejudicial to the interest of the bank. It is to be noted that the management bank is bound to safeguard the interest of its customers. By the fraudulent and dishonest actions of the workman concerned, the management has failed to some extent in safeguarding the interest of its customers. So there can be no doubt that the proved misconducts are prejudicial to the interest of the bank and subversive of its discipline. Hence I hold that the workman is guilty of charge No. 3 contained in charge memo dated 13-7-87. The point is found against the workman concerned.

20. Point No. 4: The proved misconducts are serious enough to warrant the punishment of dismissal. But the management has taken a very lenient view and thereby the management has only imposed the punishment of discharge from service. It is established in this case that the workman concerned Sri M. C. Ravi fraudulently appropriated the proceeds of the bills and cheques which were entrusted with him for local

collection from the Government Treasury. Thus in effect the workman concerned Sri M.C. Ravi committed temporary misappropriation of the proceeds of the bills and cheques which were sent for local collection. The workman concerned being an employee of a financial institution is bound to be faithful and honest in discharging his duties. But the workman has miserably failed in discharging his duties faithfully and honestly. This circumstances would show that the workman is not a fit person to be an employee of the management bank. So the management herein is fully justified in discharging the workman from service. The mere fact that the management has not sustained any financial loss cannot be taken as a ground to exonerate the workman. The illegal actions of the workman are sufficient enough to tarnish the image and reputation of the management bank. It is true that the previous service records of the workman concerned is good. Only because of the fact that he has got an unblemished service records the management has taken a lenient view and thereby the workman was discharged from service, instead of dismissal from service. It is true that the other officials of the management bank were negligent in following the procedure prescribed in the matter of local collection of bills/cheques. Had the concerned officials been vigilant, there would not have any chance for the workman to commit fraudulent appropriation of the proceeds of the bills/cheques. But the mere fact that the official were negligent cannot be taken as a sufficient ground to absolve or exonerate the workman from the guilt of misappropriation of funds. Thus in all respects the punishment of discharge from service imposed on Sri M.C. Ravi is to be upheld. I do not find any illegality or irregularity in imposing the said punishment of discharge from service. Hence the action of the management of Nedungadi Bank in discharging Sri M.C. Ravi, sub-staff from the service of the management is justified. If that be so, the workman concerned Sri M.C. Ravi is not entitled to any relief from the management. The point is answered accordingly.

21. In the result, the action of the Management of Nedungadi Bank Ltd., Regional Office Ernakulam Cochin in discharging Sri. M.C. Ravi, sub- Staff from service with effect from 31-10-88 is justified. The workman concerned Sri. M.C. Ravi is not entitled to any relief from the management of Nedungadi Bank Ltd. An Award is passed accordingly.

Ernakulam, M.V. Viswanathan, Presiding officer
28-2-1995

Appendix

Witness examined on the side of Management :

MW1. Sri C.K. Prabhakaran.

MW2 Sri. Mohan Das

MW3 Sri. G Radhakrishna

MW4 Smt. B Suseelakutty

Exhibits marked on the side of Management :

Ext M1. Proceedings of the enquiry

Ext M2. In term report submitted by the Inspector of Branches of the Management dated 14-9-87.

Ext. M3. Report submitted by the Inspector of Branches of the Management dated 25-9-87.

Ext. M4. Final report of the Inspector of Branches of the management dated 13-10-87.

Ext. M5. Voucher dated 19-8-87 for Rs. 367/-

Ext. M6. Voucher dated 20-8-87 for Rs. 814/-

Ext. M7. Voucher dated 20-8-87 for Rs. 718/-

Ext. M8. Voucher dated 20-8-87 for Rs. 500/-

Ext. M9. A letter dated 6-10-87 from District Treasury Officer to Management.

Ext M10. series (5 Nos) Vouchers bearing different dates

Ext M11. Statement dated 23-9-87

Ext M12. A statement dated 23-9-87 from one staff of the management bank

Ext M13. Statement dated 23-9-87 from one Reghu Panicker

Ext M14. A statement dated 23-9-87 from Sri C.A. Joseph, an employee of the management bank.

Ext M15. Statement dated 23-9-87 from the workman

Ext M16. Copy of charge memo dated 13-10-87 from Management to the workman

Ext M17. Copy of supplementary memo dated 21-1-88 from management to the workman.

Ext M18. Copy of the explanation dated 3-2-88 from workman to Management.

Ext M19. Voucher dated 11-3-87 for Rs. 355/-

Ext. M 20. Voucher dated 13-5-87 for Rs. 718/-

Ext. M21. Voucher dated 13-5-87 for Rs. 500/-

Ext. M22. Voucher dated 28-5-87 for Rs. 4437.35

Ext. M23. Voucher dated 13-5-87 for Rs. 40/-

Ext. M24. copy of memo dated 5-5-88

Ext. M25. Copy of letter dated 21-11-87 of the management.

Ext. M26. Copy of letter dated 10-2-88 from Management to workman.

Ext. M27. Copy of a letter from workman to management.

Ext. M28. Copy of another letter dated 4-12-87 from workman to Management.

Ext. M29. Copy of a letter dated 14-3-88 from workman to Management.

Ext. M30. Copy of a letter dated 14-3-88 from workman to Management.

Ext. M31. Register of local collection of the management bank from 1-11-86 to 15-9-87.

Courts Exhibits :

Ext. X1. Payment subsidiary register relating to Central PWD (Lakshadweep) from 1-4-86 to 31-3-87.

Ext. X1 (a). Entry dated 20-10-86 (Voucher No. 21) for payment of Rs. 16268/- drawn as per cheque No. 8224/822382 dated 25-8-86 in Ext. X1 Register.

Ext. X2. Payment subsidiary register relating to the head of account 214 for the period from 1-4-86 to 31-3-87.

Ext. X2 (a) Entry dated 13-1-87 (Voucher No. 148) drawn by Higher Court Kerala for Rs. 7257.40 in the Ext. X2 register.

Ext. X3. Payment subsidiary register relating to PWD (State) Buildings and Roads Division for the period from 1-4-86 to 31-3-87.

Ext. X3.(a) Entry dated 27-3-87 (Voucher No. 138) for Rs. 14187/- drawn by Executive Engineer, Roads Division in the Ext. X3 register,

Ext. X4. Payment subsidiary register for Forest DFO Flying Squad, Ernakulam and Social Forestry, Ernakulam for 1986-87.

Ext. X4 (a) Entry dated 27-3-87 (Voucher No. 21) for Rs. 11,178.70 drawn by Dist. Forest Officer, Flying Squad, Ernakulam in the Ext. X4 Register.

Ext. X5. Cash scroll for the period from 28-4-87 to 20-8-87.

Ext. X5 (a) Entry dated 29-4-87 Sl. No. 32 for Rs. 52, 857.85 drawn from T.P.A. 383 in the Ext. X5 register.

